

Southampton Record Society

Cornell University Library

FROM THE INCOME OF THE
FISKE ENDOWMENT FUND
THE BEQUEST OF

Willard Fiske

Librarian of the University 1868-1883

1905

A.286398

21/7/14

The date shows when this volume was taken.
To renew this book copy the call No. and give to
the librarian.

HOME USE RULES.

All Books subject to Recall.

SEP 7 87 10
All books must be returned at end of college year for inspection and repairs.

Students must return all books before leaving town. Officers should arrange for the return of books wanted during their absence from town.

Books needed by more than one person are held on the reserve list.

Volumes of periodicals and of pamphlets are held in the library as much as possible. For special purposes they are given out for a limited time.

Borrowers should not use their library privileges for the benefit of other persons.

Books of special value and gift books, when the giver wishes it, are not allowed to circulate.

Readers are asked to report all cases of books marked or mutilated.

Do not deface books by marks and writing.

Cornell University Library

DA 690.S69S74

History and antiquity of Southampton

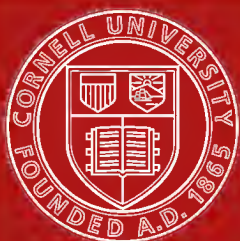


3 1924 028 219 891

olin,ove1

4281

X 6



Cornell University Library

The original of this book is in
the Cornell University Library.

There are no known copyright restrictions in
the United States on the use of the text.

4281

X 6

This Edition is limited to 250 Copies, of
which this is

No. 45.....

PUBLICATIONS OF THE
SOUTHAMPTON RECORD SOCIETY.

GENERAL EDITOR—PROFESSOR F. J. C. HEARNshaw, M.A., LL.D.

THE
HISTORY AND ANTIQUITY
OF
SOUTHAMPTON,

WITH SOME CONJECTURES CONCERNING
THE ROMAN CLAUSENTUM,

BY
JOHN SPEED, M.D.,

WRITTEN ABOUT THE YEAR 1770,

EDITED, WITH INTRODUCTION, NOTES AND INDEX,

BY
ELINOR R. AUBREY, M.A. (Lond.),

*Lecturer in English at the Hartley University
College, Southampton.*

SOUTHAMPTON :
COX & SHARLAND,
150, HIGH STREET.

1909.
w w

DA
690
S69S74 +

A.286398

NOTE.

—

The text of the History is given exactly as Dr. Speed wrote it. The errors in writing, of which there are many, especially in the Latin documents, are left uncorrected; and in the Introduction and Notes an attempt has been made, by quoting where possible the actual words of writers of the period, to preserve the old-world atmosphere which is part of the original.

CONTENTS.



	PAGE
INTRODUCTION	v-xxxvii
CHAPTER I.—THE NAME	I
„ II.—OF THE ANTIQUITY OF THE TOWN ...	5
„ III.—OF THE SITUATION OF THE TOWN ...	9
„ IV.—OF THE LIBERTIES OR PRECINCTS ...	11
„ V.—OF THE FORTIFICATIONS	15
„ VI.—THE CONDUITS AND WATER WORKS ...	23
„ VII.—THE KEYS OR QUAYS	36
„ VIII.—THE MARKET HOUSE AND MARKET ...	37
„ IX.—PAVEMENT OF THE STREETS	39
„ X.—THE BOROUGH CHARTERS	43
„ XI.—CONTAINING SOME ARTICLES AND OBSER- vations which could not be inserted in their proper Places without interrupting the course of the Charters—	
OF THE MAYOR	45
OF THE RECORDER	49
OF THE TOWN CLERK	51
OF THE BURGESSES	54
CONCERNING OFFICES	59
THE STAPLE	63
OF THE EXEMPTION FROM PRISAGE ...	67
OF THE ADMIRALTY JURISDICTION ...	69
PETTY CUSTOMS	73
OF THE REVENUES OF THE CORPORATION	75
CHARITIES	78
THE FREE SCHOOL	82
THE TOWN SEAL... ..	88
THE COMMON	89
MEMBERS OF PARLIAMENT	95
THE FAIRS	98

	PAGE
CHAPTER XII.—THE PRESENT STATE OF THE CORPORATION	101
„ XIII.—THE TRADE OF THE TOWN	112
„ XIV.—OF THE MENTION OF SOUTHAMPTON IN OUR HISTORIES	117
„ XV.—RELIGIOUS HOUSES, HOSPITALS, &c., WITHIN THE TOWN AND ITS PRECINCTS	126
„ XVI.—CLAUSENTUM	140
APPENDIX A.—EXPENCES OF LAW DAY AT CUTTHORN	151
„ B.—RECORD OF A COMPROMISE WITH PORTES- MUTH	152
„ C.—ROGER PEDLEY'S WATERWORKS... ..	156
„ D.—DISPUTE WITH NEW SARUM	164
„ E.—DISPUTE WITH THE JUSTICES OF THE COUNTY	165
„ F.—THE EXPULSION OF JAMES CAPELIN ...	169
„ G.—THE AGREEMENT FOR THE INHABITANTS TO REPAIR THE BANKS AT THE SALT MERSHE	172
„ H.—ORDER OF THE COUNCIL OF STATE ...	175
„ I.—HOLMAGE'S OBIT	178
„ K.—LIST OF MAYORS	179
„ L.—ANCIENT LAWS OF THE GUILD	190
„ M.—FORM OF THE JUDGEMENT	192
„ N.—THE ACT OF PARLIAMENT CONCERNING PRISAGE	193
„ O.—RELEASE OF THE ABBY PRISAGE ...	199
„ P.—THE ACT OF PARLIAMENT CONCERNING FOREIGN BOT AND FOREIGN SOLD ...	201
„ Q.—SWEET WINE GRANTS	204
„ R.—SECOND SWEET WINE GRANT	207
„ S.—A PATENT CONCERNING MALAGA WINES	223
„ T.—THE BOOKE OF RATES OF TOLL, PETTY CUSTOME AND OTHER DUTYES	231
INDEX... ..	241-247

INTRODUCTION.

The Southampton of Dr. Speed's time, c. 1770, formed a marked contrast to the town of to-day ; in fact, in reading a description of it in the books of that period, we hardly recognise in the fashionable sea-side resort the busy seaport which we know. It seems that the present prosperity is due, in the first place, to the fact that in the early part of George III's reign Southampton became known to the world of fashion as an attractive watering place. There is no doubt that its fortunes had sunk to a low ebb at that time ; a passage in an edition of Camden's *Britannia*, which was published in 1715, bears witness to the decay of trade and consequent loss of wealth and importance. It is pointed out that the number of fine houses, the riches of the inhabitants, the busy traffic of the harbour, to which reference had been made in earlier editions of the same work, had all become things of the past ; that the merchants' great houses were empty and dropping to the ground ; that the population had decreased to such an extent that five churches in the town were no longer needed ; and that the shipping had declined equally.

From this melancholy state Southampton was rescued by the timely discovery made by "persons of quality" that its air was salubrious, the scenery in the neighbourhood fine, and—greatest attraction of all—that its society was very select. In fact, to quote a Guide Book of the period, "It merits the notice of the man of taste, claims the attention of the antiquary, and courts the admiration of the stranger. There is no neighbourhood in Great Britain where politeness, good breeding, harmony and friendship reign so universally, and are so productive of undisguised confidence and undisturbed tranquillity. The assuming arrogance and boorish pride which are, too unfortunately, the eternal causes of contention and approbious language, and inevitably destructive of the sweets of society among petty gentry, uneducated squires, and supercilious fops, are totally banished from this happy country. Most gentlemen of this

neighbourhood are men of fortune, independence and generosity, who keep the happy medium between avarice and extravagance, meanness and profusion ; men who do not debase their character by intimacy with the vulgar and their manners, nor proudly despise their equals, but invariably maintain their dignity by a regular uniformity of conduct. No wonder the Royal Family show a predilection for this part of England, and no wonder so many of the first families visit it annually !” The *Hampshire Chronicle*, the earliest newspaper published in the county, records with naïve delight the fact that two members of the Royal Family, the Dukes of Cumberland and Gloucester, were staying in the town in 1772, and that they honoured with their presence the public balls ; also that many notable persons, among them the Duke of Bolton and the French Ambassador, had taken up their quarters in the newly erected hotel in the Polygon. It was claimed, too, that the Corporation of Southampton could boast more royal honorary burgesses than any town in the kingdom, and these included the King, George III, and the aforesaid Dukes of Cumberland and Gloucester. It was said, too, that Frederick, Prince of Wales, who had stayed in the New Forest in 1750, and thence had visited the town for the sake of sea-bathing, had expressed a particular desire to be admitted an honorary burgess. Distinguished foreigners, too, evidently found their way here. Count Kielmansegg, in his *Diary of a Journey to England in 1761-2*, writes :—“Southampton is supposed to be one of the prettiest and healthiest country towns in England ; it is rather extensive and well populated, and possesses several fine houses. Its situation close to the sea, which runs far into the land here, and the surrounding country, make it an exceedingly pleasant place. The town has its own harbour, of no great importance however, and the trade is not extensive, being less than it might and ought to be. The slight trade which is carried on by the inhabitants is done with the Islands of Jersey and Guernsey, except at rare intervals when ships arrive with wines from Portugal, one of which had just been unloaded when we were there. Many people come here every year, partly for sea-bathing, partly by order of their physicians, who consider the air of Southampton to be the healthiest in all England. You can get to Portsmouth in two hours by sea from here, but this is rarely done, least of all in winter, when the journey is not advisable, as not only the sea is not to be trusted, but you frequently get contrary winds and have to spend a day or two at sea.”

A more interesting and famous visitor than any of the foregoing was the poet Cowper, who came here when just recovering from one of those attacks of morbid depression which cast a gloom over his life, and which finally culminated in hopeless insanity. He wrote to a friend an account of his stay here, and the benefit he had received from it. To quote his own words: "A change of scene was recommended to me, and I embraced the opportunity of going with some friends to Southampton, where I spent several months. Soon after our arrival we walked to a place called Freemantle, about a mile from the town; the morning was clear and calm, the sun shone bright upon the sea, and the country on the border of it was the most beautiful I had ever seen. We sat down upon an eminence at the end of the arm of the sea which runs between Southampton and the New Forest. Here it was on a sudden as if another sun had been kindled that instant in the heavens on purpose to dispel sorrow and vexation of spirit. I felt the weight of all my misery taken off and my heart became light and joyful in a moment." Cowper's description of this view of Southampton Water as the most beautiful he had ever seen was written, it must be remembered, by one who had travelled little and who was accustomed at Olney to the flat and uninteresting scenery of Huntingdonshire. However, the beauty of the town in those days, of its immediate environment as well as the neighbouring country, was remarked by many visitors, some of whom seem to have been willing to subscribe the necessary funds if any scheme was mooted for improving a favourite spot. There is in the Audit House the copy of a letter bearing a resolution passed by the Southampton Assembly. It reads as follows:—

"SOUTHAMPTON ASSEMBLY,

"Oct. 21st, 1769.

"Resolved that Forty Pounds be given for repairing and beautifying the Publick Walk from the Platform to the Cross House, and that the Treasurer, Mr. Ballard, Junr., be empower'd to wait upon Mr. Mayor and acquaint him therewith, and to consult such means with the Corporation as shall appear to be most eligible for carrying the said Improvement into Execution. The Determination resulting from this Offer to be laid before the Subscribers at a future Meeting.

"N.B.—It is presum'd with some degree of Confidence that Mr. Chancellor Hoadley will contribute Ten Guineas towards the above mention'd Undertaking, otherwise the Gentlemen are very ready to augment their Donation to Fifty Pounds."

The charms of the town were also celebrated in verse by Dr. Cosens, one of the fashionable preachers of the day and a frequent visitor, in his *Economy of Beauty*, written about 1770, from which the following lines are taken :—

“ Thy Walls, Southampton, and thy moss-grown Towers,
Where Echo holds her solitary Reign,
Thy rural Sports and medicinal Flood,
The plains around and deep embowering Shades,
Who can behold and not attempt to sing ?
Even I, the meanest of the tuneful tribe,
Inspired by thee, awake the living Lyre,
Adventurous, while the Groves and vocal Hills
Prolong the Strain, as when the Muses pour’d
The sadly flowing Tale of Hopeless Love,
The sole disease thy Waters cannot cure.
See, to thy Baths what frequent Crowds resort,
Groaning beneath the varied Rod of Pain,
And wash their Ills away. Hither is brought,
Robb’d of each Grace, the pining pale-eyed Maid,
Who, Venus-like, emerges from the Flood,
Her Cheeks bestrew’d with Roses. Thence the Youth
Springs, like Antæus, with redoubled Might,
A Match for Hercules ; and thence the Limbs
Of trembling Eld,—Medean Fable true,—
Resume fresh Vigour and are young again.
O, let me climb thy Hills, where every Gale
Is fraught with florid Health. Such are thy Scenes,
Southampton, loved of all the rural Gods !
Thine are the pathless Wilds and Silent Groves
Where contemplation reigns.”

The extent of Southampton at this time was hardly greater than in the seventeenth century ; there were comparatively few houses outside the old walls, as can be seen in the map drawn by Dr. Speed, which is reproduced in *The Southampton Atlas*, Sheet VII. It can be calculated from a plan drawn in 1774 that the number of houses then in existence was 705, of which 205 were situated in the High Street and the courts and alleys connected with it. A newspaper of the period calls attention to the inconveniences which the labouring classes in Southampton had to undergo owing to the scarcity of small houses ; they were obliged either to live in very limited space in little cottages, with no outlet, and for which they had to pay very heavy rents, or else they were forced to take larger houses and sub-let parts to other families, thus causing worse over-

crowding. The fact that within 30 years the number of houses in the town was more than doubled bears witness to its rapid growth after it had become known as a pleasure resort. The streets in the town were described by a visitor as sufficiently wide and mostly running parallel to the High Street, being intersected at proper distances by lanes and alleys. The High Street, which had until recently been obstructed by the Audit House, was justly regarded by the townspeople as one of the finest streets in England. Gloucester Square was a "pretty assemblage of genteel houses"; Bugle Hall, formerly the residence of the Earls of Southampton, was one of the best houses in the town,—it stood near the West Gate, and commanded beautiful views of the river. Many large houses in Above Bar Street were in course of erection, and the road now known as Commercial Road, and its continuation to the Junction, had lately been made, and was used as a fashionable promenade leading to the sea, and rivalling in popularity the Beach Walk to Crosshouse from the Platform. By this road, too, access could be obtained to the Polygon, which had been planned out on a somewhat ambitious scale. The original idea was to make a figure of twelve sides; in the centre of each of these sides was to be a house facing outwards, and behind, a garden diminishing in breadth as it receded from the house. These twelve gardens were to converge towards an artificial basin of water in the centre, from which the houses could obtain their water supply. The extent of the estate was to comprise 22 acres, and round it was made a fine gravel road, which was much frequented by a throng of carriages. However, owing to the failure of several persons interested in the scheme, it was never completed. A favourite walk or drive was the London Road, by which the country was quickly reached. Fine houses standing in spacious grounds could be seen on each side of it; first Belle Vue was to be noticed—this was the property of Nathaniel St. André, who gave it its name because of the good prospect of the river Itchen, which was visible from the front of the house. The gardens and shrubberies were very extensive and noted for the variety of trees and plants, which the owner took pleasure in collecting. This estate was bounded on the north by Rockstone Lane, a road which had been constructed in what was in those days described as "a deep and romantic hollow, relieved by a fine opening to the Itchen," where the new bridge (Northam) over the river was the principal

object to be seen. The sides of the lane were steep and overhung with trees, wild flowers and ferns growing freely there.

Somewhat higher up the main road and on the other side stood Archer's Lodge, the property of Mr. Harrison, a banker; this was said to be a "neat" building with a beautiful garden; and to the north of it, on the same side, were Clayfield, a pleasantly situated house looking towards the Common, and a little further to the west Bannister's Court, which was situated just at the northern boundary line of the town. At one time this estate was evidently considered to lie outside the bounds, for in 1651 the question was brought up at the Salisbury Assizes, and it was decided that it was not to be included in the precincts. But the annual ceremony of "walking the bounds" was carried out in such a way as to show that it was looked upon still as comprised in the town's boundaries. It was formerly of larger extent, stretching from the Avenue to Hill Lane.

In the latter part of the eighteenth century Southampton was a watering-place in both senses of the term. The fact that visitors came here on purpose to enjoy the sea-bathing strikes the modern Southamptonian with astonishment, but it is none the less a fact. In his *Observations upon Sea Water* Dr. Speed gives various instances of the beneficial effects of salt water, and his own success in treating cases showed—according to a contemporary writer—that "the virtue of the water at Southampton was equal to that at any other sea-bathing place." On the Western Shore were three separate bathing establishments, known respectively as Martin's, Seward's and Simcox's; these were advertised as "commodious for people of fashion." An extra attraction was held out to bathers, viz., the possibility of bathing at all times and in any depth of water, as false bottoms were used, which could be raised or lowered by windlasses. There were baths also at Crosshouse, but these do not appear to have been patronised as much.

It is a curious fact to notice that the sea water here was supposed to be a remedy for the bite of mad dogs. In one of the September numbers of the *Hampshire Chronicle*, 1773, there is a paragraph which reads as follows:—"We are sorry to hear that there are, at this time, a great number of mad dogs in different parts of the county, many persons having come from those parts to be dipped in the sea. Upwards of 120 persons who have been bit have been dipped in the sea at Southampton

since last Christmas, as have been also a great number of dogs and hogs." A later number of the same paper records that within three months eleven men, four women, eight dogs, and a favourite cat which had been bitten by a mad dog, were brought here from Reading to be dipped in salt water.

Invalids were attracted to the town by the reputed value of the mineral springs. The most important of these was at the bottom of Bargate Street, and its chalybeate water was considered to be very efficacious in the case of sufferers from skin diseases. The townspeople of the day boasted that their spring was quite as good as the far-famed waters of Tunbridge Wells, and noted many remarkable cures. The land adjoining the spring was laid out as a pleasure ground, and was known as "Cherry Gardens" or "Spa"; one part of this, viz., the grass plot lying between the Victoria Rooms and the road, has been covered with houses—Inman Terrace—in comparatively recent times only. A small botanic garden was included in "Cherry Gardens," where many exotic plants were cultivated, and later a reading room well supplied with works on Botany was added. The Gardens were supported by annual subscriptions. The other name—"Spa"—still survives in the present Spa Road, which gave access to them. The Spring at Houndwell,—the position of which is marked to-day by a group of poplar trees in the Palmerston Park at the bottom of Pound Tree Lane,—was said to be useful in curing affections of the eye.

The air of Southampton in these days was considered "very pure and salubrious"; in fact, some people went as far as to call the town the Montpelier of England, and many instances of longevity among the inhabitants were adduced in support of this claim.

However, the purity of the air, the beauty of the environs, and the benefits to be obtained from the mineral springs were not the only attractions on which the townspeople relied for bringing the gay world here; provision was also made for their amusement, and when the old Assembly Room in the High Street was found to be not large enough for the number who frequented it, Mr. Martin, the proprietor of one of the bathing establishments on the Western Shore, in 1761 added a room to his Baths which he intended for the use of friends of his patrons, and from which they could watch the evolutions of the bathers in the water. This proved a success, consequently in 1766 and 1767 other additions were made, and the whole building was subse-

quently known by the name of the "Long Rooms," and was for many years the chief resort of the visitors for dancing and cards. The Long Rooms were situated on that part of the Shore which faces the town walls, and the entrance to them was nearly opposite the bottom of Blue Anchor Lane; they were handsomely fitted up with pier glasses that were much appreciated by the visitors, and in the centre of the ball room was a fine stand for the musicians. The charms of the rooms were celebrated in a satirical poem, composed by a visitor, in the heroic couplet beloved by eighteenth century verse writers, and entitled "Southampton Rooms." The admiration expressed in it for the town and its different resorts is evidently genuine; it is only the lovers of pleasure frequenting them who are held up to scathing ridicule. The opening lines are as follows:—

"Near those green shades, the haughty Normans' shame,
Rise Hampton's tow'rs, well known to ancient fame;
Where the gay train at stated times repair
To lose their care and breathe salubrious air,
Where every Muse and every Grace combine
To charm the senses and the taste refine."

The most popular amusement was dancing, and balls were frequently given, in some years three times a week, and for the regulation of these and in order to preserve order and decorum, rules were drawn up, which are interesting as throwing light on the manners of some of the aristocratic members of society who attended these functions. A Guide Book issued in 1774 gives these rules in full, and from it a few extracts are made:—

"Balls shall begin at 7 o'clock and end punctually at 11, even in the middle of a dance."

"A Gentleman and Lady who dance down a country dance shall not quit their places till the dance is finished, unless they intend dancing no more that night."

"No Lady will be permitted to dance in an apron, mittens or black gloves, or any miss in coats."

"It is particularly requested that Ladies who do not intend dancing Minuets will not take up front seats, except Ladies of Precedence."

"Gentlemen are requested not to come any evening to the Rooms with boots on, and to leave their swords at the door."

"It is expected that Gentlemen will not place themselves before Ladies so as to prevent their seeing Minuets danced, or continue to sit on benches when Ladies want seats; and that no

Gentleman or Lady take offence that another dances the Minuet before them, and that Ladies who do not dance the Minuet be content with back seats."

"The time for tea drinking is to be determined by the Master of the Ceremonies. Each person who drinks Tea or a dish of Chocolate is to pay Sixpence, except Ladies that dance, as it is customary for their Partners to pay for them."

It will be inferred from the foregoing extracts that the post of M.C. was no sinecure, in fact, that official seems to have been second in importance to none except the Mayor. Among his other duties he was expected to call upon all new-comers and inquire into their right to enter the charmed circle, and if their title to respectability was not perfectly satisfactory, he was obliged, politely but firmly, to refuse them admittance. He had also to draw up rules of precedence according to rank, and to see that they were carried out, and many were the disputes which he had to settle and points of etiquette on which his opinion was sought. The election of an M.C. was a most exciting occasion, hardly second in importance and more than equal in interest to that of an M.P.

The subscription for the season varied at different times, sometimes being as high as £1 : 1 : 0 for the season, and 5/- for a separate ball; sometimes as low as 5/- for the season, and 2/6 for one night.

Two nights in the week the Rooms were opened for card-playing and promenade; on these occasions the prices of cards were from 8/6—10/- for two packs for Whist, Quadrille and Cribbage, or 6/-—7/- for one pack.

There were also assembly rooms at the Polygon Hotel, but these were not as popular, on account of the long distance—as it was then considered—from town.

Perhaps the dangers which, at that period, one might encounter in leaving the precincts of the town also contributed to make the assemblies at the Polygon less popular than those held in the Long Rooms. In an account given of a ball in the *Hampshire Chronicle*, which took place in October, 1773, we read: "A young gentleman, a stranger to the town, attempted to walk from his lodging to the ball in his mask, dressed in the character of a shepherd, but the mob insulted him greatly by throwing him down and tossing him like a football for some time, and in all probability would have ended his life if some humane persons had not interrupted them." At another masked ball, held at the

Polygon, at which "there was a very elegant appearance of the principal nobility and gentry," the Duchess of Gloucester had a narrow escape from a serious accident; a large flint stone was thrown in through one of the windows and slightly grazed her forehead.

These masquerades were a favourite amusement with the visitors, and were held both at the Polygon and at the Long Rooms; apparently those at the former were somewhat more select, and the proprietors chronicle with pride the names of their ducal visitors. On one occasion, in September, 1773, the notice appears: "We can assure the public that at the particular request of some persons of distinction, there will be a masked Ball at the Great House in the Polygon, on Monday next. Tickets will be a guinea each, including refreshment such as Tea, Coffee, Orgeat and Lemonade. No tickets will be delivered but by a written order." The majority of the patrons of these balls came in dominoes and fancy dresses; among the characters represented were to be seen Jew pedlars, who were generally described as "very humourous," a "victim condemned to be burnt by the Inquisition carrying the torch," Turks, Tancred, King Charles, nosegay girls, milkmaids, the devil, Leander, etc.

Another place of amusement was added to the attractions of the town in 1766—the theatre in French Street was built by subscription. Fifteen gentlemen gave ten guineas each, for which they were entitled to a seat in either of the boxes on thirty nights during three seasons, or by paying 1/- extra they could have two places in the pit. This building soon became too small for the number who frequented it, so in 1780 it was enlarged, but this not providing adequate accommodation, the then manager, Mr. Collins, in 1798 bought St. John's Hospital, which stood a little higher up French Street, and erected on its site that theatre which is now known as the Empire. There were three performances a week during the season, and the managers prided themselves on the aristocratic audiences they were able to assemble in it. In August, 1791, Prince William came from Lyndhurst, where he was staying, to witness the play, and on that occasion all the rank and fashion of the neighbourhood were present. It is curious to notice that Mrs. Inchbald's comedy, "Every One has His Faults," was performed in 1793 for the benefit of the recently established Sunday Schools. According to a Prologue written for the opening of the season in July, 1773, the aims of the management were lofty.

“If we can smoothe the furrow'd brow of care,
Convey instruction to the young and fair,
Expose the knave and ridicule the fool,
And make our Theatre a moral school,
Give sentiment and virtue all their due,
And hold up folly to the public view,
Our ends are answer'd, for in your applause
Rests our firm charter of Theatric Laws.”

The repertoire was varied, and included great dramas as well as farcical sketches; among those acted during the season of 1772 were such plays as “Hamlet,” “The Jealous Wife,” “The Clandestine Marriage,” and “The Way to Keep Him.” On one occasion during the same season the performance was both grave and gay, lively and severe; it was advertised as follows:—“Romeo and Juliet, with the Funeral Procession of Juliet to the Monument of the Capulets accompanied with a solemn Dirge. After which Mrs. Palmer will read An Essay on the Newspapers, followed by a hornpipe, to which will be added a Comedy in two Acts, called The Lying Valet,” a somewhat mixed programme for an evening's entertainment.

Goldsmith's masterpiece, “She Stoops to Conquer,” was performed in Southampton, by command of the Duke and Duchess of Gloucester, soon after its first appearance at Covent Garden in March, 1773; it was witnessed by a crowded audience and received with great applause. According to the newspaper report the public were so desirous of paying their respects to the royal pair that before 6 o'clock the house was crowded, and before the arrival of the Duke and Duchess “more than £20 worth had been turned away.” Later in the same season, “Much Ado About Nothing,” with the entertainment of “High Life Below Stairs,” was presented to a numerous and fashionable audience. “The supper in the entertainment, which was extremely elegant, and consisted of several dishes and a variety of wines, was presented to the performers by Mrs. Hodges, at whose desire the play was represented, and to say truth, they seemed to do great justice to the founder of the feast.”

The favourite means of conveyance to evening parties was the sedan chair, the charge for which was sixpence from any part of the town within the gates to or from the Long Rooms; the end of the pavement at Above Bar and the end of Lower East Street were the limits of the town. One shilling was the charge for being carried between St. Mary's and any part of the

town, and double fare was required for stopping and allowing the passenger to get out; if the stop was but a short one, and the passenger did not alight, single fare only was demanded.

A favourite out-of-door pastime was archery, and this sport became so popular that in 1789 a Society of Archers was instituted, under the patronage of the Duke of Gloucester, the members of which were called "The Royal Southampton Archers." Arrayed in "elegant uniform," they assembled in grounds lying to the west of the London Road, where now the Convent stands, and there were gala days three times a year, when the archers shot for prize medals. The name Archers was handed down to a large house which was afterwards built in this part of the Avenue, and afterwards to the road made through the property.

Another amusement of the visitors during the season, and of the leisured inhabitants all the year round, was the writing of verses, which found a place in the *Hampshire Chronicle* every week. The subjects were varied, but the metre almost invariably the heroic couplet. Sometimes the charms of ladies who frequented the balls were celebrated, as in the following lines :—

"Who can the fair, the charming Hicks behold,
Dead to her Virtues, to her Beauties cold?
Good natur'd Burrard in each breast must move
The warmest passion and the purest love.
Foster comes last, more sweet and fair
Than blooms that scent the vernal air."

Or again, "Verses to Delicia on the escape of her Dormouse," in which the lady is adjured to cease to mourn, for

"Lo, at thy feet a constant Youth appears,
Who than thy Dormouse will more faithful prove."

A curious medley of topics is found, for example: "Verses on hearing a Young Lady sing," a Rondeau of Moral Sentiments, an Epitaph on General Wolfe, "The Maccaroni Shaver," and a Hymn for Easter. In the same paper was a column devoted to anonymous letters to the Editor, many on the follies of the day, written in imitation of the essay on similar subjects in Addison's *Spectator*, e.g., "Phico, the Dexter Lion on the Bargate," communicated his ideas on the fatal effects of gaming, on prudence and on the character of the present age, etc., to the readers. Opportunity was also offered in the pages of the *Chronicle* of calling attention to abuses which needed rectifying;

this was done by means of "Cards," of which the following may serve as specimens:—Sept. 6th, 1773. "A Card. A number of strange gentlemen who are annual visitors at Southampton present their respects to the Commissioners of the New Pavement, and acquaint them that there is a hole at least 2 ft. square at the south east corner of the old shambles, which, whenever there is the least rain and frequently at other times, is replete with water at least six inches deep. This is a great annoyance to all persons of either sex who have occasion to pass that way after sunset, and I have seen a lady who was neatly dressed to pay a visit splashed by stepping into it half way up her legs, to the no small diversion of gentlemen of the steel and many other bears of the neighbourhood." April 5th, 1774. "A Card. Many of the Inhabitants wish that the Magistrates would direct the Beadles to reconnoitre the outskirts of the Town on Sundays, where they may have the opportunity of dispersing or taking into custody a great number of idle boys playing at marbles, tossing up, and other improper amusements. It were also to be wished that parents and masters were more attentive in what manner their children and apprentices employ themselves on the Sabbath Day, and oblige them to attend Church. Should this representation have due weight, several youths may happily be preserved from the gallows, as breaking the Sabbath is too frequently the first step that leads numbers to destruction."

Some of the advertisements are of a diverting character, *e.g.*,

"Boarding School for Young Ladies, 79, High Street. By Miss Easom and proper Assistants.

"Board, English and every kind of useful and fine Needlework, 15 guineas per annum, 2 guineas entrance.

"Dancing 12/- per quarter, $\frac{1}{2}$ guinea entrance.

"Music 10/6 " " " "

"French taught by Theory and Practice, 10/6 per quarter, 10/6 entrance.

"Writing and Arithmetic, 7/6 per quarter.

"Geography and Drawing, 10/6 "

"The Ladies to find their own Tea and Sugar, or to pay 7/6 per quarter or to drink Milk and Water.

"The Ladies are to break up twice a year, and if any Lady stays the Holidays to pay one guinea.

"Particular attention paid to the Morals of Young Ladies, and proper care taken of those Ladies who are to bathe and drink the waters.

"Dancing by Mons. Dagueville, late principal dancer at Drury Lane Theatre.

"As Miss Easom has taken a large, elegant and airy House, Rooms large and lofty, with every Convenience that can render it healthy and agreeable, she does not entertain a doubt of receiving the approbation and encouragement of the candid and considerate Public.

"N.B.—Young Ladies have their Linen and Woollen mended in the school gratis, *for they are taught to do it themselves.*"

Provision was also made for the more intellectual among the visitors by means of circulating libraries, the best known of which was Ford's, which was situated in the High Street, next the Market House. Here, the *Morning Chronicle* and the *Morning Herald*, the price of which was three-pence, could be obtained, and other papers could be ordered and delivered to the customers' houses much more quickly than by post from London. It was from this house that a Guide Book to Southampton was issued, which gives much useful information as to the state of the town in the last three decades of the eighteenth century. A reading room, open to subscribers at a moderate charge, was added to this library, where papers and books of all sorts could be read. Another establishment of the same sort was owned by a Mr. Baker; this was situated close to Butchers' Row, and also produced a Guide Book to the town and neighbourhood. Besides these, there were two Coffee Rooms, where London papers might be seen, viz., "The George Inn," Above Bar, and "The Sun Inn," near the Quay.

To encourage a taste for literature, a reading society was inaugurated by some of the principal residents of the town and neighbourhood; this enabled the book lovers to procure volumes which, at that time, were far too expensive to be bought by the majority of people. The subscription was two guineas for the first year and one guinea-and-a-half for subsequent years. Another society, which was established about the same time, was the Harmonic Society. Its members used to meet once a week at "The Yeoman," in Lower East Street, and practise songs chiefly; instrumental music was occasionally attempted. This, too, was supported by subscriptions of different sums, varying from one guinea a year to sixpence a week.

It is interesting to notice the travelling facilities of these days. First, as to land journeys. From a Guide Book, issued in 1774, we learn that Cottier's Stage Coach to London set out from the

"Star Inn" at 5.30 every morning, Sundays excepted, travelling *via* Farnham, where, at "The Bush," a halt was made for dinner, and arriving at "The Belle Savage," Ludgate Hill, about 8 p.m. The single fare, from Southampton, was 16/-; from Winchester, 14/-; outside passengers were carried at half-price. Another coach, Roger's, travelled by a different route; it left "The Mitre Inn" at 5.30, and stopped for dinner at "The White Hart," at Hook, reaching "The Rose," Holborn, the same evening between 8 and 9. The fare was the same as Cottier's. The mail coach, whose destination was "The Bell and Crown," Holborn, started from Southampton at 8 p.m. every day, with the exception of Sundays, and mails were received in the town every morning, except Mondays, by 7 o'clock. Goods traffic was carried on by means of "waggons," one of the best known of these being Aslett's London Waggon, which left "The Royal George" at 10 on Wednesdays and Saturdays, and returned on Fridays and Tuesdays at 12.

There was also regular communication five times a week with Salisbury, three times with Bristol for the western counties, and three times also with Lyndhurst and Lymington. A "genteel coach" went to Oxford on Mondays, Wednesdays and Fridays, returning the following days. An opportunity was given for travelling as far as Birmingham every Thursday, the route being *via* Winchester, Whitchurch, Newbury, Abingdon and Oxford.

As to water journeys, the same Guide Book remarks "those of a nautical genius might sail on the pleasantest water in Europe as frequently as they liked," for there were passage boats and sloops to Portsmouth and the Isle of Wight almost every day at the moderate charge of sixpence each person.

Jersey and Guernsey could be reached every fortnight by a Government cutter, passengers and small parcels being carried, and "in time of peace" packets frequently sailed for Havre and Cherbourg. The ordinary vessels plying between Southampton and the Channel Islands and French ports also conveyed passengers, but the accommodation was somewhat rough, and the voyage might be considerably longer than was anticipated by the traveller.

The four annual fairs (see p. 98) were still in existence at this time, and three weekly markets were held, at which an abundance of fine fish, meat and vegetables was displayed. Strangers to the town appear to have been struck by the quantity and

quality of the salmon ; it was so plentiful and cheap, we are told, that when parents bound their sons apprentices it was stipulated that they should be obliged to eat it once a day only, "being apprehensive that from its cheapness their masters would oblige them to eat more than was consistent with their health and inclination."

The commerce of the town was at its lowest ebb ; the only branch of it which could be called flourishing was the wool trade carried on with the Channel Isles, large quantities of wool being exported to be made into worsted stockings. There was also a considerable trade in wine and fruit with Portugal. With the exception of these, hardly anything was done. A writer of the time consoles himself with the reflection that, although trade had decreased, the town had "increased prodigiously in splendour and elegance," and that many "gentlemen of fortune had come to settle in it, since it became so polite a place."

Such was the state of Southampton when Dr. Speed wrote his History, and during his long residence in it he must have seen the quiet seaport of his youth change into the fashionable watering-place of 1770. It is much to be regretted that so little is known respecting his life, as from the scanty information available we gather that he must have been a man of marked individuality, and well known to the townspeople of his day. He belonged to a prominent Southampton family, a family, too, which for some generations had been interested in history and antiquities. The earliest and best known member of it was John Speed, the historian and cartographer of Elizabethan times. This John Speed was born, according to Fuller, in the year 1552, and was brought up to the tailoring trade, his father being admitted to the freedom of the Merchant Taylors' Company in 1556. However, he early showed that his tastes lay in a different direction, and in his odd moments devoted himself to research, anything that savoured of the archaic especially proving a fascination to him. Through the kindness of Sir Fulk Greville, who recommended Queen Elizabeth to give him "a waiter's room in the custom house," he was enabled in 1598 to retire from business, and give all his time to more intellectual pursuits. We learn from a document to be found among the archives of the Merchant Taylors' Company that he was considered to have "a very rare and ingenious capacitie in drawing and setting forth of mappes and genealogies, and other very excellent

inventions." He had already produced many maps, some of which he had presented to the Company and some to the Queen, and he now employed his leisure in preparing a complete series of maps of Great Britain. He mentions, with gratitude, his indebtedness to Sir Fulk Greville, in his *Theatre of Great Britain*, where he speaks of his benefactor as follows:—"His merits to me-ward I do acknowledge in setting this hand free from the daily employments of a manuell trade, and giving it full liberty thus to express the inclination of my mind, himself being the procurer of my present estate." Between the years 1608 and 1610 he published a series of fifty-four maps of England and Wales, which were afterwards collected and issued in one volume, a description being written to accompany each map. This work came out in 1611, under the title of *The Theater of the Empire of Great Brittain: Presenting an exact Geography of the Kyngdoms of England, Scotland, Ireland and the Isles adjoining, with the Shires, Hundreds, Cities, and Shire Towns within the Kyngdom of England, Divided and Described by John Speed*. This work became so popular that other editions were required, and were brought out in 1614, 1627, and again, with many additions, in 1676; a Latin version also being prepared for publication in 1616. By this work Speed gained great fame among his contemporaries, and was elected a member of the Society of Antiquaries, where he made the acquaintance of Camden and his coadjutor, Sir Robert Cotton. Encouraged by their sympathy and that of others interested in antiquities, he began the great work of his life—*The Historie of Great Brittain under the conquests of the Romans, Saxons, Danes and Normans; their Originals, Manners, Habits, Wares, Coins and Seals, with the Successions, Lives, Acts and Issues of the English Monarchs from Julius Cæsar to King James of Famous Memorie*. This was the result of great labour on the author's part, as is shown by the fact that it contains 1300 large pages with double columns, and is illustrated by numerous reproductions of seals, coats of arms, coins, standard weapons, dress, and tables of genealogy; it also gives many statistics and is furnished with a good index. In writing it, Speed received material assistance from Cotton, who lent him manuscripts and old coins, and supplied him with a list of the monasteries suppressed by Henry VIII. The work was published in 1611, with a dedication to James I, and established its author's claim to contest with Francis Bacon the honour of being regarded as the first English *historian*, as distinguished from the mere chroniclers and annalists who preceded him.

As Speed grew older he was afflicted with blindness, but he continued to write. Among his other works may be noticed *A Collection of Genealogies recorded in Sacred Scripture*, which was published in the first edition of the Authorized Version of the Bible; these became very popular, thirty-three editions being issued before 1640. In 1616 appeared a theological work dedicated to Archbishop Whitgift, and entitled *A Cloud of Witnesses confirming unto us the Truth of the Histories in God's most Holie Word*. Speed died in 1629, and was buried in the Chancel of St. Giles, Cripplegate. He left a numerous family, six daughters and twelve sons, one of whom, John (1595-1640, the ancestor of the historian of Southampton), distinguished himself as an anatomist, and left behind him a pamphlet on anatomy, which is now in the possession of St. John's College, Oxford, where its author had graduated B.A., M.A., M.B. and M.D. He also produced a pastoral play, called "Stonehenge," which was acted at St. John's in 1635. His son, also named John (1628-1711), like his father, graduated B.A. at St. John's, and became a Fellow of the College, but was ejected from his Fellowship in 1648, when the Parliamentary Commissioners visited Oxford. He then went to Grove Place, Nursling, as the guest of Mr. Knollys, and remained there till the Restoration, after which his Fellowship was restored to him, and in 1666 he took his degree of M.D. In 1667 he came to Southampton and practised medicine; he was elected Mayor in 1681 and again in 1694. He was apparently somewhat addicted to drunkenness, and made an impression on even the hard drinkers of the eighteenth century, a story being told of his encountering the Dutch commander Van Tromp in a drinking match and showing his superiority to the Dutchman by consuming greater quantities of wine and brandy. His prowess in drinking evidently did not tend to shorten his days, for he died in 1711 at the advanced age of 84. It was this John Speed who wrote a satiric poem on the clerk of Holy Rood, Bartholomew Kempster, which was published in 1680 under the following title: *Batt upon Batt, a Poem upon the Parts, Patience and Pains of Barth. Kempster, Clerk, Poet, Cutler of Holy Rood Parish in Southampton, To Which is annexed the Vision wherein is described Batt's Person and Ingenuity; with an account of the Antient and Present State and Glory of Southampton*. Speed dedicated it, "for their diversion," to the gentry of Hampshire, but more especially to the inhabitants of Southampton, and it would appear that he

succeeded in diverting them, for the verses reached a seventh edition in 1740. The reason for celebrating Batt in verse is given in the preface, where it is stated, "For your better Understanding the Occasion of the Author's writing this ensuing Poem, I must tell you That Rhyming Batt (like the Bellman of this Town at Christmas) made some Heroick Stanzas upon the Author, who in requital and gratitude composed these following Verses." The poem consists of 130 lines, of which the following extract may be taken as a specimen of the whole :

"Hark, the Bells toll at Holy-Roods : away
 To Church, this is Batt's Exercising-day.
 He's sally'd out from sign of Pole and Bason,
 With Clergy-Cloak, clean Band, and Sunday face on.
 Some praise their Skill who in white Surplice sing
 Fa, la, fa, sol, Anthems or some such thing ;
 But let them not our smutty Clerk despise,
 Blackbirds still whistle better than Magpies.
 Their charming Trills and Thrombo's must give place
 To the melodious Consort of Batt's face,
 Where Eyes and Nose, Mouth, Beard and Chin agree
 In each sweet Note : A Quire themselves they be,
 And better Musick it most times appears
 To see his Strains than hear the best of theirs.
 Nay, were I to be buried for my life,
 And all the learned Parish-Clerks at strife
 Who should the Shovel shake, Batt should be he,
 Or else be buried who would for me.
 He can go through the Work and close my Grave
 Not with Dust onely, but an Epitaph.
 Then, in a word, he is the noblest Blade
 That ever grac'd the Wheel and Whetstone Trade.
 The Organ of our Church, the greatest Layman
 That ever solemnly squeezed out A——Amen.
 He is the Wit, the Mirth, Religion,
 The very Life and Death of the whole Town."

His eldest son, another John Speed, also took the degree of M.D. at Oxford, and practised as a doctor in Southampton. It does not appear that he inherited his father's taste for writing verses, but, like him, he was addicted to excessive drinking, and this habit he found as time went on diminished his practice. He died in 1747, and was buried at Holy Rood, where his memorial stone can be seen just below the chancel steps, and in the church register his death and that of his father are briefly recorded as follows :—

"Doc^r Jn^o Speed, Sen^r, bu. in the Chancell Holy Rhood, Sept. 27 (1711)."

"Doct^r Speed was buried in the Chancel of Holy Rhood Church No^r 1st (1747)."

The historian of Southampton was the son of this last, and was also called John. He was born in 1703, and was educated at the Merchant Taylors' School, whence he proceeded to St. John's, Oxford, being elected a Fellow of that College in 1722. He took the degrees of M.A. in 1729, B.M. in 1732, and M.D. in 1740, after which he settled in Southampton as a doctor, and in time became well known and in great request among the fashionable visitors. In 1741 he married his first cousin, Anna Maria, daughter of James Crosse, Barrister and Recorder of Winchester; he lived for some years in Holy Rood House, next to Holy Rood Church, once the Vicarage, now Messrs. Lankesters' iron-foundry, and formerly the residence of his father. In 1751 he removed to No. 1, High Street, and afterwards to a house of his own in St. Lawrence's parish, where he remained for the rest of his life.

In spite of the calls upon his time Dr. Speed was a voluminous writer, and the topics on which he wrote are many and varied. Among them might be named medicine, history, theology, and local government, in which he was deeply interested. He seems to have been a man of very decided opinions and strong prejudices, and the Acts of 1747 (see p. 35) for improving the water supply of the town, and the scheme of 1769 for new paving the streets, were violently opposed by him (see p. 41). The latter scheme was quite a reasonable one, and the need for improved paving of the streets was most pressing, for many were the pitfalls into which the unwary might fall in the dark, and frequent complaints of accidents were made both by visitors and townspeople. A circular, dated Sept. 12th, 1769, was sent out to the inhabitants, setting forth the details of the proposed work, and requesting all persons who were inclined to support the proposal to go to the Audit House the following week and sign a petition to Parliament praying that the scheme might pass into a law.

Besides naming the streets to be paved, various other works were suggested, which if carried out would tend to improve the appearance of the town and the health of the inhabitants, e.g., gutters from the houses to the carriage way were to be made under the foot way; if the street did not exceed 18 feet in width, no bulk window, shutter, rails, porches were to be permitted;

no beast was to be slaughtered or cut up, no horses bled or dressed, no cattle to be turned loose, no mortar or lime to be slacked or made, no squibs to be set off, in the public streets; cellar windows left open for the night were to be sufficiently lighted, and none except those made with a flap to be left open at any time. Many other necessary and useful regulations were added. The power to carry out this scheme was to be vested in certain Commissioners to be named in the Act; these were to be persons who resided within the limits of the town and possessed lands or tenements of the yearly value of £20, and they were empowered to raise the necessary funds by borrowing a sum not exceeding £4,000 at reasonable interest, and to make an assessment on the occupiers of all messuages, lands, gardens, and hereditaments within the parishes and places above specified according to the true annual value, the rate not to exceed one shilling in the pound.

At a meeting of the Council held on Oct. 10th, 1769, the question was put "Whether some Bill for the better paving of the Town may be framed for the general Benefit of the Inhabitants thereof? But it is to be understood that every voter still reserves to himself a right of objecting to any part of the Bill he shall think proper whenever it shall be propos'd." This was agreed to, and the following members were appointed as a sub-committee and requested to meet an equal number of the promoters of the scheme: The Mayor, John Bridges, Aldermen Ballard, Robinson, Samuel Miller, Junr., John Monckton, Arthur Hammond, Clement Hilgrove.

Meetings of this committee took place, and at one of them the following letter from Dr. Speed was read:—

MR. MAYOR AND GENTLEMEN,

As an honorary member of this Corporation, I have taken an Oath (as every Member of it has done) to maintain and support the Rights, Privileges and Property of this respectable Body, and I have taken some pains to understand what it is that I am to maintain and support in consequence of that Oath. In the course of this Enquiry some things may have occur'd to me which perhaps have escaped the observation of those Gentlemen who have not examin'd into this subject so thoroughly as I have done.

I therefore think it my Duty as a Burgess to put the Gentlemen who are the acting part of the Corporation in mind that the Scheme which is resolv'd on by some Persons in the Town for

endeavouring to procure a new Act of Parliament for paving the Streets of this Town under the direction of a set of Commissioners who are to be entirely independent of the Corporation is a most violent encroachment upon the Right and Priviledge of the Magistracy of this Town ; for besides that the government of the Town in general is plac'd in your hands by your Charter, this very Article of Authority is particularly vested in you as Magistrates by a former Act of Parliament which is still in force. And if we may judge from what we have seen many other Articles of Encroachment upon your Rights, Priviledges, and even your Property, will probably be inserted in the new Act. This Scheme, if it be carried into execution, will allso bring a burthensome tax, besides other inconveniences, upon the Inhabitants who are under your Protection as Magistrates, and have a right to be secur'd by you from every kind of Oppression.

For these Reasons, Gentlemen, if you have any regard to your Oath, if you have any regard to your Duty, if you have any regard to your Credit, I beg leave to refer it to your very serious Consideration, whether you are not indispensibly bound by all those Ties to oppose this measure by a counter Petition under your Common Seal, and to contribute to the expense of such opposition out of your Common Chest, in which you will have the assistance of a great majority of the Inhabitants, who are ready and very desirous, even to a degree of impatience, to join with you in such a Counter Petition and in the expense of supporting it.

If, Gentlemen, you neglect to exert yourselves on so signal and so interesting an occasion, and will suffer your Rights, your Priviledges and your Authority to be thus wantonly wrested out of your hands, it can answer no purpose to swear your Burgesses to maintain them ; you will, in that case, have only yourselves to blame for the consequences of such Neglect, and you will, in that case, have no reason to be surprised if you should soon dwindle into meer Cyphers ; when that happens you may e'en burn your Charter, and make a present of your Maces to the new Commissioners.

These, Gentlemen, are the points which concern you as a Corporation and as Magistrates. As to the thing itself, or whether it shall be done at all or no, that is a Subject of a different kind of Consideration, and shou'd in point of equity be referr'd to the determination of the Inhabitants in General, for they are all parties concern'd, since every man must bear his

share of the burthen of the Tax that will be laid if the Scheme be carried into Execution.

I have now, Gentlemen, according to the best of my ability discharg'd the duty of a faithfull Burgess, which I shall allways endeavour to be ; and that you may all do the same, on this and every other occasion, is the daily Prayer of one who is with the greatest Respect and Esteem, Gentlemen,

Your very zealous well-wisher and most humble servant,

J. SPEED.

As to the offer of the Members of £1,000 towards the Paving, I am told it is made on condition that the paving be done with the consent of a Majority of the Inhabitants ; if so, you cannot accept the offer till their opinion is known.

SOUTH'TON,

Oct., 1769.

The Council agreed that the matter should be placed before the inhabitants, and that they should have the opportunity of expressing their views on the subject. Accordingly at a meeting held on Nov. 10th, 1769, the following resolution was carried :—

“That this Common Council do approve the Scheme for paving the Town, as settled by the Committee from the Corporation and the Committee from the original Promoters, and do order the same to be printed and distributed amongst the Proprietors of Houses with the following Preamble, viz. :—

“The Corporation having maturely weighed and considered the design of applying to Parliament to obtain an Act for the better paving the streets, have approved the underwritten proposals and ordered them to be laid before the Publick that every Inhabitant may judge of the Propriety of them, and all Persons who can throw any light on the Subject or in any Degree amend all or any of the Articles are earnestly requested to communicate their thoughts in writing to the Town Clerk, who will lay them before the Corporation, that all possible attention may be paid thereto. In the mean Time they think it incumbent on them to say, It is presum'd on good grounds that the whole cost of the Pavement will be considerably short of the stipulated sum, provided the old materials be used to the best advantage and the Foot Way made somewhat narrower than has been proposed. Concerning the Foot Way it may be very proper to observe that as the Inhabitants in general seem to wish it new laid and in a better Form, it is hardly to be suppos'd that any Objection will be made to new laying the Carriage Way at the same time,

when it is demonstrable that the expenses of it will be so much short of what the public have been made to believe, and so inconsiderable in Proportion to that of the Foot Way.

“The foregoing Question being put, the same was carried in the Affirmative, and Mr. Town Clerk is directed to cause the said Scheme and Preamble to be printed and published as soon as possible.”

In response to the invitation of the Council to persons who wished to propose amendments to any of the articles, Dr. Speed formulated a plan of discovering the real feeling of the townspeople on the matter, and sent it to the Corporation. It runs as follows :—

“This method of taking the Opinion of the Inhabitants is propos’d as the most fair, the most peaceable and the most amicable way of doing it.

“The Reason why the Occupiers of Houses are put in is because, in the Scheme that was lately offer’d to the Public, a Tax was propos’d to be laid on the Occupiers for the Repair of the New Pavement (if made), which Tax for the repair must be perpetual; whereas the Tax to be laid upon the owners for making the New Pavement is suppos’d by that Scheme to cease after a few years; therefore the Occupiers, who are to pay a perpetual Tax, have, in point of Equity, at least an equal right to be consulted with the owners, who are to pay only a temporary one.

“The Land Tax paid for each House is inserted in order to judge on which side of the Question the greatest Property within the Town lies, that being generally the rule by which things of this sort are determin’d in the House of Commons, and tho’ the Land Tax be in fact but an uncertain way of judging of the real value of Property, yet it is the only legal one.

“The names of the owners of the several houses are inserted because if the Occupier or Tenant differs in opinion from his Landlord, the Property of that House must be carried to the Account of the Landlord.

“COPY OF PETITION.

“Whereas a Scheme is set on foot by some Gentlemen of this Town for procuring a new Act of Parliament for paving the streets of this Town in such a manner as will bring a burthensome Tax, besides many other inconveniences, upon the Inhabitants of the Town, you are desir’d to declare your opinion on this subject by setting your name in one of the Columns under.

“This Preamble to be sign’d by Mr. Mayor if he pleases.

“N.B.—Where no name is set in the Column of Owners, the Occupiers are the Owners.

“Those Owners who live out of the Town, and therefore cannot be consulted, to have some mark set against their Names, as thus +

FOR THE NEW PAVING.			AGAINST.			NEUTRAL.		
Owner.	Occupier.	Land tax.	Owner.	Occupier.	Land tax.	Owner.	Occupier.	Land Tax.

“It is propos’d that a Roll or Book in the above form be provided for every Parish in the Town, and that Mr. Mayor be desir’d to sign the above Preamble in every such Roll or Book, and that the Parish officers of each Parish be desir’d to go from House to House to desire the Inhabitants, women that are House keepers as well as men, to set their names in which column they please, and those that cannot write to set their Marks, and if they do not find them at home the first time to call again till they have set their names; and when this is done that the s^d Parish officers be desir’d to set down from the Land Tax Book, against every name, the whole year’s Land Tax that is paid for each House, and that a copy of the annex’d explanation of this scheme be annex’d to each Roll or Book.

“N.B.—The Rate of the Land Tax is the very Rule by w^{ch} the Rents of the Town were estimated at £7,500 in the Scheme lately offer’d to the Public.

“N.B.—This is not offer’d as a perfect Scheme, but only as a foundation on which a good one may be built.

“The Advantages that it is suppos’d will arise from a method of this kind are :

“1st. Quieting all the animosity that has arisen on this occasion, for everybody is willing enough to have a footway made.

“2nd. Avoiding the unnecessary and burthensome expense of new paving the way for Carriages, which is already much firmer and better than any new Pavement will be.

“3rd. The Gentlemen of the Corporation will by this means preserve their Rights and Priviledges entire,

and will faithfully discharge the Duty which they owe to themselves, as a Body Corporate, and to the Inhabitants as being under their Protection, and if they make this effort, tho' they should be defeated by any superior Power, yet they will have the inward satisfaction of a consciousness that they have discharg'd their Duty. But if they sit still and suffer people that are entire Strangers to their Body to wrest away their Rights and Authority, and perhaps part of their Corporation Property, to all which they are in the nature of Trustees, without stirring a finger to help themselves, they will have much to answer for."

Evidently the concensus of opinion was in favour of the scheme, for after a few amendments had been proposed and accepted at a meeting of the Council held on Dec. 21st, 1769, the Town Seal was affixed to a petition to Parliament for permission "to bring in a bill for better paving, repairing, widening and cleansing the streets, courts, squares, lanes, ways and public passages of the Town, and for removing and preventing nuisances and annoyances therein."

At a subsequent meeting of the Council on Feb. 16th, 1770, the following articles concerning lighting and the watch were added to the Paving Bill :—

"1st. That the Commissioners have power to purchase a sufficient Number of Lamps and to set up the same at proper places in the sd. Town, and to appoint Watchmen and other Officers with reasonable salaries, and to build a Watch House, and that immediately after the Act is pass'd.

"2nd. The first Costs thereof to be paid by the Proprietors of Houses in the same manner as in the Bill for Pavement, so that the expense thereof does not exceed £500, to be added to the £4,000 proposed by the same Bill.

"3rd. The Expense of lighting and repairing the Lamps and the annual Salaries to the Watch and Officers to be paid by the Tenants at the same rates as that for the Repairs of the Pavement. Provided that any poor Person renting a House under £8 per annum may on application to the Commissioners be excused from paying the sd. Rate.

"N.B.—It is the opinion of the Common Council that East St. and Bag Row ought to be included in the Bill for Pavement,

and that the cleansing and repairing of the Pavement after it is finished ought not to be charg'd on the Landlord but on the Tenant, as there will then be only one annual Tax for the whole. And that the same Proviso in favour of Tenants renting Houses under £8 be extended as well to the Tax for repairing Pavement, &c., as to the lighting and repairing Lamps."

"The same Gentlemen that were appointed by the Corporation to settle the scheme for Paving with a Committee of the Original Promoters thereof have now full power finally to settle the foregoing Proposals with a Committee of the said original promoters, and to make such Improvements and Alterations within as shall be thought expedient."

Dr. Speed gives in his *Charter of the Town of Southampton* the following incident in connection with the affixing of the town seal :—

"On Saturday, Feb. 24th, 1770, the Town Seal was affixed to this Petition to Parliament; this was later than had been intended, but when the Council met for the purpose of affixing the Seal it could not be used because Mr. Moody, the Junior Bailiff, the Keeper of the Key of the Corporation Chest, had gone out of town and had taken the key with him. Some suspicion was aroused that Mr. Moody had acted so designedly, on account of his 'serving maid' declaring that he had been at home in 'the parlour' with his father when the Town Sergeant called for the key. However, the next day the Junior Bailiff waited on the Mayor and made an apology for carrying away the key, and assured him that he did not take it away with the object of preventing its being affixed to the Petition."

Later in 1770 the Bill became law, and Dr. Speed's indignation is forcibly expressed in Chap. IX; also in his *Account of the ancient town of Gotham* the transactions to which he refers are measures taken to carry out the paving scheme, and the "so famous wise men there," the leading members of the Corporation, who are held up to ridicule in no measured terms. Similarly, in his *Curious Account of a Nondescript Species of Negroes* he attacks the lighting scheme, and describes the promoters of it as "Melano-cardians," persons with "black hearts."

Dr. Speed had been made an honorary burgess of Southampton on November 10th, 1752, and had been sworn on March 19th, 1754, and it is apparent from his action in regard to the paving scheme that he took his responsibility seriously.

Unfortunately, no other information of his participation in the affairs of the town is available, neither are any details of his life

forthcoming, but it is doubtless quite correct to picture him as a busy doctor who spent most of his leisure in writing, and who was keenly interested in the social life around him. The versatility of his mind is attested by the long list of his writings given below, and the various subjects to which he turned his attention.

Dr. Speed died on March 8th, 1781, and was buried in Holy Rood Church on March 15th; the entry in the Burial Register simply says "Speed, Dr., buried March 15th." His grave is situated half-way down the middle aisle of the Church, and at present cannot be seen owing to the covering of linoleum.

The History of Southampton, together with other papers, became the property of his son John, the Rector of Eling, who died in 1792. In the following year his widow married John Silvester, Esq., who in 1794 presented it to the Corporation of Southampton, and in their custody, at the Audit House, it has remained ever since.

The book is a small folio, written very clearly and carefully in the printing hand which he generally used for works that he considered ready for printing; it was in process of composition in 1770 (see p. 42). There is no written preface, but at the beginning are three maps drawn by himself; the first, a plan of Bitterne; the second, the liberties of Southampton; and the third, the town of Southampton as it was in his own day. All three have already been reproduced in *The Southampton Atlas*, a former publication of the Record Society, and are numbered respectively Sheets I (first plan), VII and VI. At the end of the volume is a short index containing about one hundred and twenty names. The book is bound in vellum and has been carefully preserved; it is evident that the letters all through the pages have been re-touched, with the exception of a few marginal notes, and this re-touching has been done so exactly that it is probably the work of the author. As regards its contents, this history is founded on an earlier work called *The Charter of the Town of Southampton, 16 Car. I, in Latin and English, with remarks from the Journals*. The charter is given in full, the Latin and its English translation side by side; extracts from the Journals bearing on the subject matter are interspersed, and are continued as far as the year 1753. Quotations from other documents are also given, and Dr. Speed has added remarks of his own, many of which are repeated *verbatim* in his History.

This volume was presented by the author to the Corporation in 1759, but appears to have been lost; however, a beautifully written copy of it was made in 1813, and this is still to be found among the other town records. Of works in Dr. Speed's own handwriting, the History and the papers given above relating to the paving scheme are the only ones in the possession of the municipal authorities. The late Rev. J. Silvester Davies kindly furnished the following list of his MSS. treatises, in compiling which he writes as follows:—"Anyone with the slightest reputation, who leaves behind him a mass of unsorted papers, and has been a writer or a scribbler all his life, may well be understood as beseeching those who come after, 'Have pity upon me, have pity upon me, O ye, my friends.'" In the following list of Dr. Speed's remains, this implied entreaty, which has been accepted as involving a moral duty, has been kept in view. Some among his papers were obviously never intended to see the light; others are mere fugitive pieces, which probably he would not have cared should receive much consideration. Among such which are well written out may perhaps be specified *Flint and Steel*, a Fable; a humorous piece recommending the Cucking Stool as a defence to the husbands of the time. *Muscipulu, the Mountebank*, about 220 Latin hexameters; and others might be mentioned. There are youthful verses and translations; analyses of various works in Latin, Greek and English; and, as a whole, the evidence of the MS. which he left behind shows the industry and versatility of the man all his life, and proves his scholarship to have been of a high order. It is unfortunately the exception when the date of the writings is given.

In reference to the author's mode of writing, it is fairly evident that he adopted the printing hand when he considered a piece had received his best and final attention, and when it was ready for the press.

A Book of Sonnets, which he calls "this collection of stuff," dedicated to Miss Anna Maria Crosse, whom he afterwards married. These were written before his marriage, which took place in 1741.

An Impartial By-stander's Review of the Controversy concerning the Wardenship of Winchester College, signed Satutophilus. This consists of about 24 pp. well but closely written.

De Aqua Marina Commentarius, a Latin treatise on Sea Water. Several rough drafts or versions are found, one signed

and dated J. S., 1749. The pamphlet, consisting of about 50 pp., appears to have assumed its final shape in 1754, for a fair copy, apparently ready for the press, is associated with a number of letters bearing that date, written by the Rev. W. Derham. These letters have reference to the printing and illustration of the treatise. The treatise is full of references to, and quotations from, Dioscorides, a Greek physician of the first century A.D., and author of a celebrated work on medicine, and other ancient physicians.

Observations upon Sea Water. J. S., 1746. This is written in English, and is well copied out in Dr. Speed's printing hand. Its length is about 24 pp.

Pyrrhus, King of Sicily. This is a play in five acts, based on Polybius and Plutarch's Life of Pyrrhus. It is a draft, not fairly written out.

An Epistle to Johnny Barton, of S'ton, containing some Remarks on the late famous Oxford Speech. A folio sheet, closely written, which begins as follows:—

“Dear Johnny, I have seen thy letter
(No man alive could pen a better).
Thy Latin one to tutor B—nth—m,
Such flow'rs! Minerva surely sent 'em!
No more with voice profane shall K—ng
Make Sheldon's ancient fabric ring.” Etc., etc.

The Succession of the Lords of the Isle of Wight. Several folios in an unfinished state.

An Account of the Memorable Revolution in 1688, collected chiefly from Bishop Burnett's History. 121 folio pp., closely written, to which is prefixed, as a motto, “Ex injuria jus . . . non potest.”

A Treatise on the English Parliament. Several folios, in a rough state.

A Letter, written, Dr. Speed says, “on the occasion of my being press'd by a Gentleman of the Roman Catholic Persuasion to read two books on which he seem'd very much to rely, viz., *England's Conversion and Reformation Compar'd, or the Young Gentleman instructed in the Principles of the Catholic Religion,* and the other, a little book of the Bishop of Meaux concerning the Articles of Faith in the Church of Rome. After reading them I wrote this, but the Gentleman left the Neighbourhood before I had an opportunity of Communicating it to him.” Several folios fairly written out.

A lengthy treatise, in English, written in 1749 for the use of his son, the first part on the *History and Meaning of Heathen Mythology*, and the second on the *Rise and Progress of Idolatry*.

On the Culture of Mushrooms. A fair copy, written out in his peculiar printing hand, about 48 pp.

De Regum Angliæ Vicissitudinibus post Edwardum Confessorem. J. S., 1748.

Appendix de Successione Regum Anglo-Saxonicorum. Latin, about 16 pp., fairly written.

An Attempt to Explain the Scheme and Design of the Athanasian Creed. By a Gentleman. About 24 pp., written in the printing hand.

The Miller's Tale from Chaucer, rendered into Modern English verse by J. S.

De Medico. About 130 Latin hexameters. *Lusus metricus forsân, si minus poeticus, de Medico.*

On a separate title page the poem is described thus :—

“ On the many long-liv'd Inhabitants of Southampton.

“ As near the Stygian lake, Death musing sate,

He, sighing thus, made grievous moan :

That healthy damn'd S—th—mpt—n has of late

From me withheld her ev'ry son.

'Sir,' says a dreary new come Ghost, 'good cheer,

Your quota you from thence will draw,

For N—sh and M—nkt—n practise Physick there.'

'Do they, by Gad?' cries Death, 'Huzza!'

The M—nkt—n alluded to here may have been Dr. Speed's successor, for in 1751 license was obtained from the Corporation to alienate the lease of the “great house” next Holy Rood Church, in which Dr. Speed resided, to Mr. John Monckton, surgeon.

Solomoniaca. English verses, about 400 lines, founded on the Book of Proverbs, with references throughout.

The Sentiments of a Member of the Church of England, “Having a form of Godliness,” etc., II Tim., iii, 5, by a Gentleman. This consists of about 32 pp., and was written soon after the death of Bishop Hoadley, in 1761.

The Anatomy of Methodism. Ten large folio pages.

Collections from Dr. Hickes' Anglo-Saxon Grammar, shewing the rudiments of that Language and its agreement with the modern English, by J. Speed, 1767. Written out carefully in his printing hand.

Carte de Carsbroc. A transcript from the Register of Carisbrooke Priory, Isle of Wight. The whole of this is in Dr. Speed's hand-writing, and immediately below the title he has written:—"ex Registro Cartarum Prioratus illius penes" (then comes a hopelessly undecipherable erasion of the former possessor's name, after which is substituted "J. Speed, M.D."), and he adds below:—"Liber ex quo hæc scripsi est forsan ipse liber vetustus quem Cambdeno ostendit . . . sive Somerseltus."

So that Dr. Speed appears at one time to have had in his possession the original cartulary, of which this may be a complete transcript. The book consists of 162 quarto pages, and there is an index at the end.

A Curious Account of a Non-descript Species of Negroes.

Fingere qui non potest—

Hic Niger est. Horace.

The brazen'd wretch that with Corinthian Front
Dares to give evidence, express and blunt,
Which, well the Caitiff knows, in ev'ry part
Is the meer Fiction of his knavish Heart,
Is Black as Hell.

Quo quis versutior et callidior est, hoc invisior et suspectior, detracta opinione probitatis.

Tull de Offic.

This is a keen satire on the Corporation of Southampton, and consists of 25 pp., fairly written out in Dr. Speed's printing hand. It begins as follows:—"There are two species of Negroes, the one has a black skin, the other a black heart, and are therefore called Melano-cardians," etc.

An account of the ancient Town of Gotham, and of some transactions of the so-famous wise men there. Translated from an ancient Greek manuscript found in the Vatican Library. Felix quem faciunt aliena pericula cautum Discite justiciam moniti.

This is an amusing satire on certain proceedings of the Corporation of Southampton, the numerous characters evidently representing the leaders in town politics, with the peculiarities of some of them. Doubtless this, and other similar pieces, were circulated in the town among those who knew the state of affairs, and could appreciate the humour. It consists of 29 pp.

Burnettus restitutus, or Bishop Burnett's History in Burlesque Verse, by Ferdinand MacPherson of that Ilk. Materiam Risus invenit ad omnes . . . hominum Juvenal.

Contra quam sentit solet Troniajocari.

This is a large folio of 830 pp. and about 73,500 lines; it is very neatly written, most of it in the printing hand. Prefixed is the "Restorer's Preface" in the same hand. "Many people have affected to represent this Book as a serious account of the Matters it treats of I allways look'd on it as the highest piece of Drollery that ever appear'd in Print, and I allways suspected that it was wrote originally in Burlesque verse. . . . I was much confirm'd in my opinion of its being originally wrote in verse by the great ease with which every part of the Book ran into this Metre." A few lines are here quoted as a specimen of the versification :—

"King William's gone and I am free
To lay aside Hypocrisy.
Jimmy was once my friend declar'd,
And of his Favour much I shar'd,
But when to him I'd given Offence
By much ill-tim'd Impertinence,
And found that he, with proper Spirit,
Highly resented my demerit,
I skulk'd abroad and fudged about
Till I to Billy's Court was got.
I put myself in his Protection,
Pretending for him great Affection.
He took the Bait, and all was clever,
And I was greatly in his Favour,
And he such marks of it did show,
That I could do no less, you know,
Than scratch his Poll and call the Toad
A Guardian Angel sent by God.
I carried on this Farce so well
That in the end, O strange to tell!
With Sarum's Mitre I was bless'd,
And well I feather'd have my Nest.
This Task perform'd, this irksome Task,
'Tis time I should pull off the Mask
And tell you, that whate'er I've spoke
In William's praise is all a joke,
Of him I'll now no longer boast.
Now Nancy Stuart is my Toast."

The satire ends with the following lines, which may perhaps appropriately close this necessarily imperfect account of Dr. Speed's life :—

"Here, gentle Reader, I must end,
No more in Verse our Author penn'd.
Besides, I'm tired, and you may be
Most likely tir'd of him and me."

THE HISTORY AND ANTIQUITY OF SOUTHAMPTON.

CHAPTER I.—THE NAME.

BOTH Geoffry of Monmouth¹ and his epitomiser, Ponticus Virunnius,² derive the name of this place from one Hamo, a Roman, whom they suppose to have been kill'd here. They both tell the story in the same words, and I will set it down though I know it is look'd on as fabulous, and I believe it to be so myself. But thus it appears in their Histories.

“The Emperour Claudius³ landed at the city of Porchester (Porcestria), call'd in those days by the Britons, Kaerperis,⁴ upon which Guiderius, the King of that part of the Country, marched against him and made great slaughter of the Romans

¹ Geoffry of Monmouth, an ecclesiastic of the twelfth century, was the author of a History of the Britons, in which he professes to trace their descent back to Brut the Trojan, the great-grandson of Æneas. The book is a mixture of myth, legend and tradition; it became very popular, translations into English, French and Welsh being made from the original Latin. It was regarded as a storehouse of information by the chroniclers and romance writers of the Middle Ages, and out of it grew the cycle of stories connected with Arthur and the Knights of the Round Table.

² Ponticus Virunnius, an editor of Early English chronicles. His six books of British History were re-published, in 1585, in Camden's *Anglicus*.

³ Claudius reigned from 41 to 54 A.D., when he was poisoned by his wife Agrippina, the mother of Nero. He sent his general, Aulus Plautius, in 43, to reduce Britain to subjection, and afterwards came himself and received the submission of various tribes, forming the south east parts of the country into a Roman province.

⁴ Dr. Speed adds a footnote here as follows:—"This circumstance is so far true that Suetonius tells us that Vespasian conquered these parts of Britain 'partim sub ipsis Claudii ductu' (partly under the leadership of Claudius himself). I date the coming of the Romans into Britain from this expedition of Claudius; for Julius Cæsar, by the confession of Tacitus, only shewed Britain to the Romans; and Augustus, notwithstanding Horace's 'Adjectis Imperio Britannis' (he added Britain to his kingdom), never was in Britain, but only received their submission from their Embassadors, so that Claudius was the first that got any footing here. 'Julius Cæsar obsides a Brittanica accepit' (J. Cæsar received hostages from Britain), and it is supposed by some that the Britons sent hostages with their Embassadors to Augustus, but I recollect no mention of this in any Roman author."

(he was the son of Kymbeline,¹ or Cunobeline), till one Levis Hamo, a Roman captain, who had been educated among the British Hostages at Rome, from whom he had learned their Language, threw off his Armour, and, dressing himself in the habit of a British soldier, fought on the British side till he got to their king, whom he then stabb'd, and return'd to the Romans again; this accident put the Britons into great disorder, till Arviragus, the dead King's brother, put on the King's Armour and appear'd at their head to lead them on; the Britons, animated with the appearance of their King's being safe, return'd so vigorously to the Charge that the Romans gave ground, and Claudius fled to his ships; but Hamo's retreat being cut off, he was forc'd to take to the Woods: Arviragus followed him and his party, supposing Claudius to be with them, and overtook them on the Seashore, at a place now call'd, from the name of this Hamo, Hamtonia. Here Arviragus was kill'd, and the Port or Bay is call'd to this day Hamonis Portus, or Hamo's Bay."

Thus far Geoffry of Monmouth and Ponticus Virunnius. It is needless to point out the evident marks of Forgery that appear in this Relation; I shall, therefore, leave it as I find it, and endeavour to fix upon a more probable derivation of the Town's name.

Mr. Cambden² has taken great pains to derive the name from

¹ Cymbeline belonged to the only British family that left its mark on the history of these early times. He was probably the great-grandson of Cassivelaunus, who resisted Julius Cæsar; and one of his sons, Caractacus, opposed the Romans for a time successfully, but in 50 A.D. was taken prisoner and carried to Rome to grace an imperial triumph. Cymbeline, according to Holloshed, was brought up at Rome, and was so high in the favour of Augustus Cæsar that when he returned to his own country he was at liberty to pay tribute or not as he pleased. He became king 23 A.D., and reigned over the greater part of the Midlands and a large tract of country south of the Thames, but his power was never very great and gave way completely at the advance of the Roman legions. Shakespeare has used his name, the names of his two sons, Guiderius and Arviragus, and one or two incidents recorded of his reign, in his romantic play, "Cymbeline," and his representation of the weak, irresolute and helpless monarch seems to be borne out by the few facts recorded of him in history.

² William Camden, a celebrated historian and antiquary, was born in London in 1551, and educated at Christ's Hospital and St. Paul's School, where, he tells us, he "imbibed a taste" for antiquarian research. He afterwards went to Oxford, where he made the acquaintance of the two Carews, who fostered his liking for antiquities; and then became second master at Westminster School. He devoted all his leisure to research, and in the vacations made excursions to various parts of the country; finally, in 1586, after ten years' labour, he published his *Britannia*, which was dedicated to Lord Burleigh. In this work he gave a topographical and historical account of the British Isles from the earliest times, and succeeded in gaining the popular ear; later editions were considerably enlarged and improved, each entailing a new journey on him.

In 1597, through the influence of his friend, Sir Fulke Greville, he obtained a post in the Herald's College, which gave him more liberty to be employed in journeys in search of information. His last edition was published under the title of "Remaines of a Greater Work concerning Britain: the Inhabitants thereof, their Names, Surnames, Language, Emprises, Wise Speeches, Poesies and Epitaphs." In the dedication of this to Sir Robert Cotton, Camden speaks of it as the "outcast rubbish of a greater and more serious work." He wrote also a History of the reign of Elizabeth. He founded a History Lecture at Oxford, thus fulfilling the vow with which he closes his *Britannia*, viz., "to dedicate some votive tablet to God and antiquity." He died in 1623, and was buried in Westminster Abbey.

Anton, the old name (as he conjectures) of the river Test, but though I have a great veneration for his name and authority, I cannot subscribe to this opinion of his, for I find it constantly wrote with an H, Hampton, whereas the names of the other places which he supposes to be derived from that of the River, want the H, as Antport, Andover, &c. But we shall be still more at a loss in this point if we suppose, with Mr. Cambden, that the Town originally stood in another place¹ now call'd St. Mary's Fields, being part of the Glebe belonging to St. Mary's Church, for those fields lie on the banks of the river Ytchen (Hytia) and, therefore, if the Town had stood there, it cou'd not have taken its name from the river Anton, if the other river had that name; but in old writings the name of that River is wrote Terste, and this name is suppos'd by some to be deriv'd from Terstan, an old British Saint. If I may be allow'd to offer a conjecture, I should suppose that the Latin writers, after the Roman times, here latinized the original Saxon name of the Town, Hamtun or Hamton, into Antona.

Nor has Mr. Cambden,² I think, succeeded better in his attempt to derive Trisantonis Portus from the British word, Traith Portus, if the word has that signification, of which he himself doubts. It is to be observed that this name includes all the water from the Town quite to Calshot Castle, where Mr. Cambden

¹ For the discussion of this theory see Chapter III.

² Camden says—"For here by the great distance of the two shores and by the opposite situation of the Isle of Wight, is made a very commodious harbour which Ptolemy calls the mouth of the river Trisanton, in my opinion, for Trath Anton, *i.e.*, the Bay of Anton; for Ninnius, an ancient author, calls it almost by the same name, the mouth of the Trahannon. The river that runs into this bay, which we now call Test, was in former times, as we learn from the lives of the Saints, named Terstan, and that it was before called Ant or Anton; the towne which lay upon it, Antport, Andover, and Hanton, would almost persuade us. So far am I from thinking that it was ever so called from the Roman Hammon, there killed, which yet Geoffrey of Monmouth delivers in his romancing way, and is followed by a poet, who has this passage concerning that Hammon :—

'As to the bank he fled,
Enraged Arviragus with happier speed
Aimed a fierce blow and felled his trembling head,
And thus great Hammon's death, proclaimed by fame,
To Hampton gave an everlasting name."

The fact that in early times the word Southampton was believed to be derived from the name of this Hamon, is borne out by John Hardyng, a rhyming chronicler, who was born about 1378. In describing the fight between Cymbeline's son, Guider, and the Emperor Claudius, who was laying siege to Porchester, he writes :—

"But Guider made him to flee were he never so stoute,
Then one Hamon rode fast into the route,
Havyng on him the Britain's sygne of warre,
Who in the presse slew the king Guider;
Arviragus to save his brother slayne,
His brother's armes upon himself he cast,
And king was then of all ye Great Britain,
Upon Hamon persued, tyll at the laste
He drove hym into the haven full faste,
And drowned him there, after him hight Hamo town
That men now call shorte speche Southampton."

places his Trisantonis Ostia, and this is called Southampton Water to this day. I should suppose that the Romans gave this name to the Bay from the three Rivers that fall into and from it, viz., the Terste or Test, the Ytchen, and the Homelæa, as Bede¹ calls the River at Hamble, and that the Bay took its name from the Town, and not from either of the Rivers. This appears to me the more likely because Mr. Cambden takes this name from Ptolemy,² who wrote his Geography in Greek, in which language Trisanton is the tripple Anton, and Trisantonis Portus is the Bay of Anton supplied by three Rivers. The part of the Sea without the mouth of this Bay is describ'd by Bede, and is particulariz'd by the remarkable Swell occasion'd there by the meeting of the two Tides from Spithead and the Needles; he calls this place Solente.

But to return to the name of the Town. Hamtun or Hamtune, the original name, is entirely Saxon, and we must look for its derivation in that Language. "Ham" has various significations; as first, it signifies an house or home, and in this sense it is us'd figuratively for a Collection of houses or a town, and hamlet is a diminutive from it signifying a lesser town or village. But when it is used in this sense it is an Appellative, and Appellatives are allways placed at the end of the name, which is the reason that we have the names of so many places ending in Ham, Tun, Ton (a town); Bury (Sax., *birig*, a city); Cester and Chester (*castrum*, a camp or military station); as Bucking-ham, Castle-ton, Ban-bury, Ex-cestre, Win-chester, &c. But "ham" is put first in the name of this place, and has the Appellative "tun" or "ton" added to it; it must, therefore, here refer to some particular Circumstance which constitutes the *nomen proprium* of the Town, so that we must look for another meaning of "Ham" here. It signifies, besides the above, Poples, the back part of the knee, which is still called the ham of a man, and it is sometimes used for the knee itself; and as the Town stands upon a knee, bend or point made by the confluence of the two rivers, Terste and

¹ "From Winchester, more eastward, the river Hamble runs out at a large mouth into the sea. Bede calls it Homelea, and says it runs through the country of the Jutes and falls into the Solente, for so he calls the channel between Britain and the Isle of Wight, into which at certain hours two opposite tides coming up with great violence from the ocean and meeting here raised so great an admiration in our forefathers that they reckoned it one of the wonders of Britain."—Camden's *Britannia*.

Bede's description is as follows:—"Two tides which flow round the British Island out of the vast northern ocean do daily meet together and encounter each other beyond the mouth of the river Homelea, and when the waves have ended their conflict, they retire into the sea from whence they came."

² Ptolemy was a Greek astronomer and geographer of the second century after Christ. His astronomical system, founded on the apparent movements of the heavenly bodies, lasted until the sixteenth century, when it was superseded by the Copernican theory.

Ytchen, this appears to me to be the most probable account of its name.¹ The addition of South was undoubtedly made to distinguish it from Northampton, which was also called simply Hamtun by the Saxons.² The names by which it is mentioned in ancient writings and charters are Hamtona, Sudhamtona, Suthamtona, and lastly, Southampton and Suthampton.

CHAPTER II.—OF THE ANTIQUITY OF THE TOWN.

I look on its Original to be entirely Saxon, there being no mention of it while the Romans stayed in Britain³; nor do I believe that the ancient Britons had any such settlement here as they called a Town. Geoffry of Monmouth calls it “*Littus maris quod nunc Hamtonia nuncupatur*”; which plainly shews that he knew of no British Town here in those very early days.

It is probable that the Britons, at least those of this Neighbourhood, did not use the Sea any more than was necessary for their fishing and other Domestick occasions; neither was this a place of any Resort for foreign ships. Cæsar tells us, in his

¹ This derivation appears to be somewhat fanciful. The most probable origin of the name is from English “ham,” meaning home or dwelling, and “tun,” an enclosure, the word from which “town” is derived. As to Dr. Speed’s objection that “ham” is an appellative, *i.e.*, a name common to all of the same kind, as distinguished from a proper name, and that it can only be used as a suffix, there are other instances among English names to show that it can be used as a prefix, *e.g.*, Hamworthy.

Southampton is the only town in England which has given its name to the county in which it is situated. Freeman, in his *History of the Norman Conquest*, says: “The West Saxon counties retain to this day the names and the boundaries of the principalities founded by the first successors of Cerdic; several shires contain a town bearing a cognate name, but in one case only is the shire called directly and solely after a town. That shire is the first seat of the Conquest, the shire which contained the capital. No doubt it originally bore no name but that of Westsaxnare; when it became needful to distinguish it from other West Saxon principalities, it received the name of Hamtonshire.”

² Sir Henry Englefield, in his *Walk through Southampton*, suggests another derivation of the name of the town, which it is interesting to compare with those of Camden and Speed. He says that “An” or “Ant” was probably the name given by the Britons to Southampton Water, and that to this the Romans added the Latin termination, and thus the Roman name was Entum or Antum, and possibly, by an easy change, Antona. When the town became a place of consequence in Saxon times, the name “Ant” was given to it, to which was added the Saxon “tun” or “ton.” This, he remarks, is “much more consonant to the Saxon mode of formation of names than the supposition that the town was called Anton from the river Anton without any adjunct.”

³ Though we find no mention of the town during the period of the Roman occupation of Britain, it is very probable that there was a Roman settlement on the west side of the Itchen, for many Roman relics have been discovered at various times. Coins have been found among the bones of the pits exposed during building operations in St. Mary’s Road in 1859, on Bevois Hill, in the High Street, and other places; Roman pottery also, a good specimen of which, a vessel unearthed from the foundations of 91, High Street, is now to be seen in the Hartley Museum; and three Roman tombs were discovered in 1852 on Portswood Hill. There is also strong evidence of the presence of the Romans in several places in the neighbourhood of Southampton, at Netley, Nursling, Sloden in the New Forest, and elsewhere.

Commentaries, that when he was preparing for his first Expedition into Britain, he cou'd get no account of the country from the Gauls, "neque qui essent ad majorum navium multitudinem idonei Portus" (nor of harbours suitable for large ships). Now, if the Britons had been Sailors enough to have maintain'd any intercourse with France, or if these parts had been at all frequented by foreign ships, so fine an Harbour could not have been so absolutely unknown to the Gauls, whom Cæsar call'd together from all parts of the Coast, "convocatis undique mercatoribus"; therefore the conveniency of the Harbour cou'd be no temptation to the Britons to settle near it, nor does it appear that there was any Town where the present one stands in all the time that the Romans kept possession of Britain; for Clausentum certainly stood at another place, as will be shewn when we come to speak of that Station.

Cerdic and Cynric, the founders of the West-Saxon kingdom, most probably landed somewhere in this neighbourhood (Mr. Cambden thinks that Cerdicesora, the name given to the place of their landing, was near the spot where Calshot Castle now stands), they made Winchester their royal City or Metropolis of their kingdom, and the spot on which Hamtun stands was the nearest and the most commodious place they could find for a port to that City; and, as the Saxons were a sea-faring People, they were well aware of the convenience of the Harbour, which I suppose induc'd them to improve the place very greatly, if they were not the first Founders of it as a Town.

The earliest authentic mention that I have met with of this place is in the Saxon Chronicle, under the year 837: "Hoc anno Wulfheardus Dux pugnavit apud Hamtun cum triginta trium Piratarum classe, ibique magnam stragem fecit, et Victoriam adeptus est" (this year Duke Wulfheard¹ fought with a fleet of three and thirty pirate ships; he made great Slaughter and gain'd the Victory). This was above four hundred years after the Romans left Britain; for the same Chronicle² tells us, under the

¹ Wulfbeard, here called "Duke," was the alderman or ruler of the shire. Owing to his bravery and the desperate struggle made by the English, the invaders were driven back to their ships before they could plunder the town.

² The next mention made of Southampton in the Saxon Chronicle occurs in a charter by King Ethelwulf of Wessex, in which he gives land at Ashdown to one of his thanes, and which is dated 840, from the "royal town which is called Hamtun."

Although this is the earliest mention of the *town* in the Saxon Chronicle, the *shire* is mentioned under the year 735. "This year Cynewulf, with the consent of the West Saxon Council, deprived Sebright, his relative, for unrighteous deeds, of his kingdom except Hamtun-scire, which he retained until he slew the alderman who remained longest with him." As it is evident that the town gave its name to the shire, this extract shows that the town must have been of some importance before this date.

year 418, "*Hoc anno Romani coacervarunt omnes qui essent in Britannia Auri thesauros, ac partim in terram occultabant ubi postea nullus reperire posset, partim in Galliam secum transportârunt*" (this year the Romans collected together all the Treasures of Gold that were in Britain, part of which they hid underground, where nobody cou'd ever find them, and the rest they carried off into France with them). This is certainly meant of the final Departure of the Romans from Britain. I do not apprehend that Hamtun was a place of any consequence in the early days above mentioned, for near thirty years after this great Victory of Wulfheard's, viz., in the year 860,¹ "*advenit magnus navalis exercitus et expugnavit Wintanceaster*" (there came a great army by sea and took Winchester). Now, the way to Winchester from the Sea is by Hamtun; if there had been any considerable town there, this great army wou'd not have pass'd by it, nor would the Chronicle have omitted such a circumstance if it had been taken at that time.

In the year 891² the Place was thought worth some notice, for "*hoc anno venerunt primum septem naves et devastârunt Hamtun*" (this year came, for the first time, seven ships and laid waste Hamtun).

In the year 994 the Danes, under Anlaf and Swegen, made an attempt upon London, but being beat off from thence, they plunder'd all the Coast, till King Æthelred enter'd into a treaty with them and agreed to give them money and provisions if they would desist from their Depredations. Upon this they went to Hamtun and winter'd there, where the whole West-Saxon

¹ It seems most probable that in this incursion of 860 the Northmen landed here, but did not stop to destroy and plunder, because a richer town was their object. Having found an easy landing place in former years, they would most likely make for Southampton again, especially as they would thus reach Winchester by the shortest route. The Chronicle goes on to say that as they were going back, Osric, the alderman of Hampshire, joined forces with the alderman of Berkshire, and that they fought against the enemy, and made themselves masters of the field.

² "In the year 891," i.e., in the last wars of Alfred against the Danes. Though we find, in the Chronicle, no mention of this great king in connection with Hamtun, the two facts that Winchester was his capital, and that he took so great an interest in the building of war ships, lead us to conjecture that he may often have visited the town, and that some of his vessels may even have been built here.

Although in this raid the Danes did so much damage, they were not unopposed, for after destroying the town they were attacked by the English and forced to flee to their ships. For about a century after this, Hamtun apparently enjoyed a peaceful interval, thanks partly to the strong and able rule of Edgar, "the peace winner," who reigned from 955 to 975, and who was practically king of the whole country; but under the weak sway of Ethelred the Unready, troubles began again, and in 994 we read in the Chronicle (after Anlaf and Swegen had attacked London), "thence they advanced and wrought the greatest evil that any army could do, not only on the sea coast in Essex, but in Kent, Sussex and Hampshire. Then resolved the king to send to them and offer them tribute and provisions on condition they desisted from plunder. The terms they accepted, and the whole army came to Southampton and there fixed their winter quarters, where they were fed by all the subjects of the West Saxon kingdom."

kingdom supplied them with Provisions during their stay, and at their departure they receiv'd sixteen thousand pounds in money. In the year 1010¹ the Place was grown more considerable, for this year "venit exercitus (Danorum) ad Hamtun quem quidem Portum combusserunt" (there came a whole army (of Danes) to Hamtun and burn'd it). I have not met with any mention, besides the above recited, of its suffering by the Danes; but it is suppos'd that their Incursions brought it to so low a state as the Conqueror found it in, when he had, as appears by Domesday Book,² only eighty men or Tenants in Demesne in the town, if it ever had been in a better condition.

From these circumstances we may trace the progress of the Town's growth and increase; but its greatest advances were made after the Conquest: for while our Kings kept their possessions in Normandy and the neighbouring parts of France, the conveniency of Embarkation here for those parts made it a place of great resort, Portsmouth being then a place of no consequence, and only a Branch of the Port of Southampton, as indeed it is to this day.

¹ Dr. Speed makes a mistake here; it was in 1001 that the Danes again ravaged *Southampton*; in 1010 there is an entry in the Chronicle which relates to the burning and plundering of *Northampton*. The error possibly arises from the confusion of one town with the other. In a charter of King Edgar's, dated 962, this place is designated *Suthampton* for the first time, but in many subsequent references to it, it is still called *Hamtun*, as is also *Northampton*, so that one can only determine which of the two is meant by reference to the context.

² The account of the town in Domesday Book is as follows:—"In the borough of Hantune the king has four score men less four in demesne who pay £7 in land-gable (*gafol*, an Anglo-Saxon word, meaning tax or tribute), and paid the same in the time of King Edward. Of these, twenty-seven pay 8d. each, two pay 12d. each, and the rest, fifty in number, pay 6d. each. After King William came into England, sixty-five French-born and thirty-one English-born were lodged in Hantone. These among them all paid £4 and 6d. for all customs."

After this comes a list of the most important people who held their houses by a grant from the Conqueror. Many of them were evidently great county land-owners, and their houses in Hantone were occupied by merchants; the fact that a number of wealthy nobles held property in the town bears witness to its growing importance.

CHAPTER III.—OF THE SITUATION OF THE TOWN.

It is a receiv'd Opinion,¹ and even Mr. Cambden has espous'd it, that the Town did not originally stand where it does now, but was remov'd to its present Situation after being burn'd by the French in King Edward III's time: "Anno 1337, Villa de Southampton per galeas Regis Franciæ totaliter est combusta" (in the year 1337² the town of Southampton was entirely burned by the gallees of the French king). Mr. Cambden was, I suppose, led into this mistake by Leland's *Itinerary*, and Leland probably learn'd it from some idle tradition of the Inhabitants; but, however that be, it is certainly a great mistake, for in many

1 "The old town of Hampton was burnt in time of war, spolied and rased by French pirates. This was the cause that the inhabitants there translated themselves to a more commodious place, and began, with the king's license and help, to build New Hampton, and to waulle it, in defence of the enemies."—Leland's *Itinerary*.

Modern research has shown that Leland and Camden were right in saying that Old Hampton stood on a site to the north east of the town of the fifteenth century, but wrong as to the time of its removal. It is most probable that this change of site was made owing to Danish, rather than French, invasions. The Rev. J. Silvester Davies suggests that this migration took place in the time of Canute; for that reign was a time of peace, which the inhabitants, influenced by the remembrance of past sufferings at the hands of their enemies, might very well have utilized for moving to a position that could be more easily defended. If the old town occupied a site embracing St. Mary's and the land lying to the north and south of the present St. Mary Street, and extending as far as Six Dials, the slightly higher ground, later called Castle Hill, would probably strike them as being more easily fortified, and would have the further advantage of not being flooded at exceptionally high tides. Also, there is ample evidence to prove that the town which Leland calls New Hampton existed and was fortified a considerable time before the French burnt the town. We know that the castle was standing in John's reign, for in 1218 a certain William Briwere was made governor of it. If we adopt the theory that the removal took place in the eleventh century, Dr. Speed's reference to the grant made by Henry II, in which the churches of St. Michael, St. Laurence, Holy Rood, and All Saints are mentioned, far from supporting his view, serves rather to contradict it.

Further confirmation of this theory is afforded by the fact that in the records of the fourteenth century there is no mention of any change having been made. Again, some of the fortifications and many remains of old buildings date from the eleventh, twelfth and thirteenth centuries.

There is an old lease, dated 1334, which shows that Above Bar existed at that time. It is called "A lease from Richard Canenacer to Walter Wytegod, for one tenement in the suburbs of Southampton, in the parish of All Saints, in the street called Bove Barre Street." This is an additional proof that the town was in its present position before the French invasion of 1338.

Discoveries made during building operations in the nineteenth century help to prove that before the Norman Conquest there was in existence an English town situated to the north east of the old walled town. In 1839, when a field lying to the north of St. Mary's Church was dug up, large pits filled with the bones of animals were discovered in such quantities that it was calculated that fifty tons were obtained from them; among these bones were lying numbers of old English coins bearing the names of kings who reigned in the eighth, ninth, and tenth centuries. Again, in constructing the street now called Grove Street, which is situated to the south of the above-mentioned pits, the labourers came across quantities of human bones, and in one grave a curious green glass vase, which was found resting on a skull. In 1856 and 1859 more bone-pits, in which were pieces of old English pottery and a few coins, were discovered near Six Dials. All this tends to confirm the view held by Leland and Camden that the mediæval town was not built on the site of Old Hampton.

² Froissart (1337-1410c.), the French chronicler, gives the following account of this invasion:—"As soon as Sir Hugh Quirnel, Sir Peter Bahucet (and others) were informed that hostilities had commenced, they landed on Sunday morning in the harbour of Southampton, while the inhabitants were at church. Normans, Picards and Spaniards entered the town, pillaged it, killed many, and having loaded their vessels with booty, they fell down with the tide and made sail for the coast of Normandy. They landed at Dieppe and there divided the plunder."

Stow's *Annals* (published 1580) give additional information as to this invasion:—"The fourth of

charters and grants, places said to be in the Town before the burning are in it still. Thus, a grant from King Henry II to the Priory of St. Dionis says: "Sciatis me dedisse, &c. ; Canonicis S^ti Dionysii, &c. ; capellas meas quas habebam infra villam¹ de Hamptona, Scil^t, capellam S^ti Michaelis, capellam S^tae Crucis, capellam S^ti Laurentii et capellam omnium Sanctorum" (know ye that I have given, &c., to the canons of St. Dionis, &c., the chappels which I had in the town of Hampton, namely, the chappel of St. Michael, the chappel of the Holy Rhood, the chappel of St. Laurence, and the chappel of All Saints). These are the present parish Churches of the Town, which were serv'd before the Dissolution by the monks of St. Dionis, who had a house in the Town for their reception, call'd little St. Dionis. There was, besides these, St. John's Church in the Town, but that had been given before by the same King to the Priory of Caresbrook in the Isle of Wight ; this Church is now gone quite to decay, and the Parish is united to that of St. Laurence.

In a charter of an Hospital in the town call'd God's House, granted by Edward III three years before the burning of the town, it is called "*Hospitale de* (not *prope*) Hamptone" (the Hospital *of* (not *near*) Hamptone) ; and in another charter, dated seven or eight years after the burning, it is still call'd "*Hospitale nostrum de* Suthampton" (our Hospital *of* Suthampton) ; whence it appears that the Hospital stood in the Town at the time of the date of both these Charters, and consequently that the Town stood where it does before the burning.

Farther, an old Register of a Convent of Friars Minors in the town, of which more hereafter, has entries in it of several Occurrences which happen'd both before and after the burning

October, fiftie gallies well manned and furnished, came to Southampton about nine of the clocke and sacked the towne, the townsmen running away for feare ; by the breake of the next day, they which fled by help of the country thereabout came against the pyrates and fought with them ; in the which skirmish were slaine to the number of three hundred pyrates, together with their captaine, a yonge soldier, the Kloge of Sicilie's sonne. To this young man the French king had given whatsoever he got in the kingdome of England, but he being beaten down by a certain man of the country, cryed 'rançon.' Notwithstanding, the husbandman laide on him with his clubbe till he had slaine him, speaking these words : ' Yea (quoth he), I know well enough thou art a Françon, and therefore shalt thou dye' ; for he understood not his speech, neither had he any skill to take gentlemen prisoners, and to keep them for their rausome. Wherefore, the residue of those Gentowayes after they had set the town afire and burned it up quite, fledde to their galleyes, and in their flying certain of them were drowned ; and after this, the inhabitants of the town compassed it about with a great and strong wall."

¹ Pinned to the page here is a note added by Dr. Speed. It is written on a small piece of note paper, and runs as follows :—" 'Infra' here does not signify *below* the towne but *in* it, and the use of it in this sense is very common in old grants. Thus, Richard I grants to St. Dionis, Kingsland and Portswood, with all their appurtenances '*infra Burgum* (de Suthampton) et extra' ; and Roger de Hamptone, the son of Gervastus de Hamptone, gives to God's House all the lands, rents and buildings which he had '*Infra villam Hamptonia vel extra*.' Perhaps '*Infra*' may be miswritten for '*intra*,' "

of the Town, and even of the burning itself, but not a word of the removal of the Town; the same Register records the death of a Person who had often been a Benefactor to the Convent, “et maxime post combustionem villæ Suthampton” (and particularly after the burning of the Town of Suthampton); which implies that the Convent had suffer’d by the fire, and, therefore, stood in the Town.

These circumstances shew as fully as the case will admit of, that the Town of Southampton stood allways where it now stands.

CHAPTER IV.—OF THE LIBERTIES OR PRECINCTS.

These were not so extensive originally as they are at present,¹ for about the 26 Henry II, or A.D. 1180, William Briwere was made the Forrester of the Forrest de la Bere,² with power to take anybody transgressing therein betwixt the Barrs of Hampton and the Gates of Winchester.

The Forrester cou’d not take anybody within the Liberties of the Town, and, therefore, the Barrs, which were made the limits of his power, were likewise the Limits of the town’s Liberties.

The North Gate of the Town is still call’d the Barr Gate, from its standing where the Barrs did before the town was wall’d.

The present extensive Precinct was granted by King John, as is set forth below (but I never saw his Grant), and 38 Henry III it is described as under:—

Haec est inquisitio facta per viginti quattuor viros legales (sequuntur nomina Juratorum) Anno Henrici Filii regis Jonnis tricesimo octavo apud Shyrlegh coram Dno Ernaldo de Bosco, tunc Dni Regis Justitiario de

This is the Inquest taken by twenty-four lawfull men (here follow the names of the jury), in the 38th year of Henry, the son of King John, at Shyrlegh, before the Hon^{ble}. Ernaldus de Bosco, at that time Justice in

¹ “At present,” *i.e.*, 1770c, the year in which Dr. Speed was writing this History. For the extent of Southampton at that time see the *Southampton Atlas*, Map VII.

² The Forest of Bere (A.S. *bearu*, woodland) was formerly much more extensive. In the twelfth century it stretched from the liberties of Southampton to Porchester and Havant. Now it consists of about 25 square miles lying to the north of Portsdown Hill.

foresta; qui dicunt super Sacramentum suum quod haec est meta et divisa inter Forestam de la Bere et Villam Dni Regis Suthampton, scilicet, De Ponte de Achardo sicut via se extendit super cruces versus Aquilonem usque Cutthorn, et a Cutthorn usque Burle-stone, et a Burle-stone usque Aquæ ductum de Furze-wells sicut descendit in Ytchens. Intra quas metas libertatum villæ Dni Regis Suthampton, Canonici S^{ti} Dionysii habent et tenent quendam Boscum qui vocatur Porteswoode ex concessione Richardi quondam Regis Angl. in liberam et plenariam et perpetuam Elemosynam; et est extra regardum et vastum, pro quo Bosco et terra quæ vocatur Kyngesland Dnus Rex prædictus remisit de firma sua villæ Suthampton in perpetuum centum solidos.

Eyre to the King's Majesty; who say upon their Oath that this is the bound and limit between the Forrest of Bere and the King's Majesty's Town of Southampton, viz., from Achard's Bridge¹ (now Four Post Bridge), as the way lies northward by the Crosses to Cutthorn, and from Cutthorn to Burle-stone,² and from Burle-stone to the water-course of Furze-wells,³ as it goes down to the River Ytchen; within which bounds of the Liberties of the King's Majesty's Town of Southampton, the Canons of St. Dionis have and hold a certain Wood called Porteswood by a Grant from Richard, formerly King of England, for full and free and perpetual charity, and this Wood is without the Regard and is exempt from impeachment of Waste, for which Wood and the land called Kyngesland, the afore-said King remitted one hundred shillings of his ferme of the Town of Southampton.

The above boundary was confirm'd, 7 Edward IV, by Henry Bourcheire, Earl of Essex, Justice in Eyre. In his Confirmation the above Inquest is recited verbatim.

4 Henry VII, the precincts are describ'd as under:—"The Perambulation of the Fraunchises of the Toune of Suthampton, graunted by King John, and confirmed by mayny other noble

¹ Achard's Bridge. This was a bridge crossing the rivulet which runs from the Common, through the valley to the east of Hill Lane, into the water near the West Station. This rivulet was in Dr. Speed's time the western boundary of the town.

² Burle-stone (see Chapter XI, The Common). In the oldest extant map of Southampton, which dates from 1560c., Burle or Burrell-stone is marked in Burgess Street, about one-third of the distance from Cutthorn to the junction of Burgess Street with Portswood Road.

³ Furzewells, see below.

kings, his Successours, and of late the Bounds of the same franchises, by vertue of a Writte oute of the Exchequer of the said Graunte and remaining in the Audite House, set oute by Tho^s. Overrey¹ as hereafter followeth.

“Item first, fro barred Gate, the North Gate of Southampton, unto Acorn (Achard’s) Brig and Crosse, West North West; and fro Acorn (Achard’s) Brig and Crosse unto the hede Crosse² North through the village call’d Hill; and from the Hede Crosse to the cutted Thorn Crosse, Suth Suth Est; and fro’ the cutted Thorn Crosse to Borell stone Crosse, Est, at Burger’s strete end and so along Burger’s strete and thorough Kinghorn Gate³ unto Haven Stone⁴ in Hilton, Est; and fro Haven Stone along as the water lyeth unto Hegstone⁵ at Blackworth, Suth; and fro Hegstone (Mill Stone) as the water lyeth to Itchenworth (Itchen Ferry), Suth; and fro Itchenworth as the water lyeth to the Mesyne and Gate⁶ of Suthampton, West.”

The Crosses above mention’d, which were set as Land Marks, were here, as in all other parts of the Kingdom, demolish’d by the mad, fanaticall rage of the Republican Rebels of the last Century, on pretence of their being a remains of Popery. The upper part of one of them is still preserv’d in the Audit House; on one side of it is cut in the old square letters, “The Heed (Head) Cross,” w^{ch} at first sight looks like Hood Cross, from whence the Bound stone that now stands in its place is, by an easy corruption, call’d Woody Crosse Stone.

¹ Thos. Overey was mayor from 1488-90. He compiled some regulations dealing with the duties of town officers and enforcing the ordinances of the Guild Merchant, which regulations not being put in execution, “hit shuld be to th’utter distraccion of this seid gode towne, the whiche God defende.”

² The Hede Cross (see below) formerly marked the north west corner of the Common; it stands about 100 paces to the north of the gate at the top of Hill Lane. The land between was once common land, and is referred to in a presentment made by the Court Leet of 1573, in which there was a complaint made that “a great peice of our sayd comon and heathe is leaft unclosed from the rest by Hoode Crosse,” and the fear is expressed that “in contuance of time it will be quit lost.” Evidently no notice was taken of this presentment, for the land has been lost from the Common.”

³ Kinghorn Gate was at a point in Burgess Street where a road branched off at right angles leading to the Itchen. This road ran parallel to, and to the north of, Furzewells, a rivulet which is probably identical with a small stream coming from the north east corner of the Common, and flowing through the hollow to the east of Highfield Church.

⁴ Haven Stone marked the spot where Furzewells runs into the Itchen.

⁵ Hegstone at Blackworth. In the map of 1560 we find Hagestone of Blackworth placed at that point of land which jute ont into the Itchen, between Northam Bridge and Crahniton.

⁶ “Mesyne and Gate” is evidently an error. What is intended is the “Malson Dieu Gate,” which term has been variously corrupted; we sometimes find it under the name of “Sandy Gate.”

The ancient Custom¹ was to hold a Court Leet at the cutted Thorn, where a place was enclos'd for that purpose, and all the inhabitants were summon'd to ride the Bounds and attend the Court every year, on the third Tuesday after Easter, on the Penalty of one Penny for every defaulter; a Dinner was provided there at the expense of the Corporation (see Appendix A). They came afterwards² to hold their Court in Town in the morning and rode the bounds in the afternoon, and at their return the Sheriff gave a supper to the whole company; but within a very few years this has been left off, and they hold their Court in Town, and the Mayor and the Sheriff, very poorly attended, ride the bounds in a kind of private manner.

According to this Boundary the East side of the Village of Hill shou'd be within the jurisdiction of the Town. That point was disputed so early as 20 Henry VIII,³ for in the Steward's Accompts for that year there is an article charg'd for a Fee to Council concerning that business, but how it ended then I do not find. Some years after, this Right was try'd at Salisbury Assize, and the Corporation, not having exercised their Jurisdiction there for many years, were cast upon a non-user.

In consequence of this Boundary, the Prior and Convent of St. Dionis, as Lords of Porteswood, agreed, by an Indenture bearing date 20 Richard II, that the Inhabitants of Porteswoode shou'd submit to the Jurisdiction of the Town, and shou'd attend the Town Court Leet, and shou'd be rated with the Town for the King's Supplies, their proportion to be for every fifteenth £1 6s. 8d.

The Corporation pay a Rent of four Pounds a year to the owners of the Mannour of South Stoneham, and it appears in

¹ How long ago this ancient custom originated cannot be ascertained. The Court Leet Records preserved among the Borough Documents begin in 1550; there are, however, references in the first volume to two earlier books. The fact that the Court Leet was held out of doors bears witness to its great age. Possibly Cutthorn is a place once held sacred by the pagan inhabitants of this region, who may have assembled there for sacrifice. (See Dr. Hearnshaw's *Leet Jurisdiction in England*, pp. 161 *et seq.*)

² This change was made in 1616-17, when the Court was moved from Cutthorn to the Guildhall, on account of the "great disorder that hath benn at Cutthorne at divers tymes espially by the ruder sort of people." In 1620 a presentment was made begging that the Court might meet again in the old place, as the "unfrequentinge therof doth breed a murmur in the comon sorte of people in regarde manie lokes for a little recreation at that tyme." This appeal was not disregarded, and in 1625 Cutthorn was again the meeting place. From that year until 1670, when we find the last recorded instance of the open air site being selected, the Court Leet was held sometimes in the one place, sometimes in the other. From 1675 until 1856, when another change was made and the Audit House used for the purpose, the meetings took place at the Guildhall.

³ This point was disputed, also, several times subsequently, *e.g.* in 1600, the liberties on the east side of Hill Street were challenged, and it was claimed that the inhabitants there ought to do their suit and service at the Law day. In 1611 Hill was again declared to be within the liberties; however, the right of the town to the more extensive boundary was insisted on less as time went on, and from 1748 the bounds have been described as extending northwards from a village called Hill.

the Journal that in the year 1659, Mrs. Clarke, the owner at that time, produc'd to the Corporation some deeds by which such a Rent is granted, payable out of certain Lands, Tenements, and Hereditaments in the Town of Southampton and the Liberties thereof, by the Mayor, Bailiffs and Burgesses of Southampton. The Journal does not say on what account this Rent was granted, but it is suppos'd to be for riding through part of the Lands of that Estate in the Perambulation of their Liberties. The date of these deeds is 9 and 44 Jacob. I.

CHAPTER V.—OF THE FORTIFICATIONS.

Our Histories tell us that the Conquerour built Castles in many parts of the Kingdom to secure his new Acquisitions: and it is most likely that he built one at Southampton. But the earliest mention of a Castle here that I have met with is 15 Johan,¹ when Adam de Port was Governour of the Castlè of Southampton.

The Castle, whenever built, was the only Fortification it had till after it had been burn'd by the French, about 9 Edward III, for 13th year of that King, Richard Talbot, a Predecessor of the Earls of Shrewsbury,² was made Governour of Southampton, and appointed to see it fortifyd. However, it was not done till some years after, for in the 29th year of this King's Reign he made the following Grant³ to the town:—

¹ There are references to the Castle before the reign of John. In 1153, the Castle is mentioned in the agreement made between Stephen and Prince Henry,—the Bishop of Winchester had to give security for delivering it up to Henry in the event of Stephen's death. In Henry II's reign the chaplain of the Castle is named in the King's writ respecting the fee farm rent, and the sheriff of that time in rendering his account has the entry, "Works on the castle bridge and chapel, £1/11/4." Also, earlier than the fifteenth year of John's reign, in 1202-3, costs to the amount of £25/6/0 were allowed for repairs in the Castle; and in the next year John remitted £100 a year out of the fee farm rent to help the building of the town walls.

² Several Earls of Shrewsbury were prominent in the wars of the fifteenth century. One of them was present at the battle of Agincourt, 1415, and in the following campaign was conspicuous for his bravery, being rewarded by Henry V with a French title and estate. John Talbot was sent by Henry VI, in 1452, to rescue Bordeaux from French misrule, and was successful in winning back a great part of Gascony, but in the following year, at the siege of his Castle of Chatillon by the French, he was killed, together with his son, who fell fighting to the last over his father's body. The succeeding Earl lost his life in the Wars of the Roses, at the battle of Northampton, 1460.

³ This grant does not show, as Dr. Speed infers, that the fortifications were not begun till 1355. In Henry III two murages (or permission to levy tolls for a certain time) were granted toward the building or repair of the walls, and in 1321 Edward II granted another murage for three years. But in spite of these, the walls were evidently not completed by 1338, as the enemy landed at a certain weak part, "the gravel," which was ordered to be strengthened immediately afterwards. This is probably the spit of land on which the Pier is now built.

Edwardus Dei gratia, Salu-tem. Supplicaverunt nobis dilecti nobis Burgenses Villæ nostræ Suthampton, ut cum ipsi pro periculis ibidem multoties curandis, Villam prædictam, pro securiori custodia ejusdem et partium adjacentium, nuper de petra et calce inceperunt claudere et fymare ipsique ad clausuram perficiendam non sufficient, velimus concedere eisdem Burgensibus ut ipsi de Bonis et Mercimoniis infra Libertatem Villæ prædictæ adductis vel extra Libertatem eandem eductis, tam per Terram qua per Aquam tam videlicet; ipsorum Burgensium quam aliorum quorum cumque, ad Villam et Libertatem ejusdem confluentium percipere et colligere possint unum denarium de Libra de omnibus Bonis et Mercimoniis supra dictis ad certum Tempus per nos Limitandum. Nos considerantes Villam prædictam et partes adjacentes per clausuram dictæ Villæ si perficiatur contra dicta pericula imminencia posse multipliciter assecurari ac volentes securitati Villæ prædictæ ac partium adjacentium providere pro ut decet concessimus eisdem Burgensibus, in auxilium clausuræ Villæ prædictæ quod a die confectionis præsentium usque ad finem decem

Edward, by the Grace of God, Greeting. Our dearly beloved, the Burgesses of our Town of Suthampton, have petition'd us that, whereas for the preventing the Dangers to w^{ch} they are many times expos'd, and for the better security and guarding of the said Town and the neighbouring Parts, they have lately begun to enclose and fortify the said Town with stone and lime, but are not able of themselves to perfect the same, we wou'd permit the said Burgesses to take and collect upon all Goods and Wares brought into the Liberties of the said Town or carried out of the same, whether by land or water, as well those of the said Burgesses themselves as of all other persons whatsoever frequenting the said Town and its Liberties, one Penny in the Pound upon all Goods and Wares aforesaid, for a certain time to be by us limited. We, considering that the Walling of the aforesaid Town, if it be compleated,¹ may on many accounts be a great security to the said Town and the neighbouring parts, against the imminent dangers aforesaid, and being willing to provide for the safety of the said Town and of the neighbouring parts as becomes us; have granted to

¹ Although Edward III had issued several mandates after the invasion of 1338—one for the building of a stone wall towards the sea—and had appointed governors whose special duty it was to see to the fortifications, from this grant, made in 1356, we infer that these aids had proved insufficient to finish building the walls.

annorum proxime sequentium plenarie completorum capiant et colligant per manus illorum, quos ad hoc deputare ac pro quibus respondere velint de quibuscunque Bonis et Mercimoniis infra Libertatem prædictæ Villæ adductis et ab eadem eductis, tam per Terram quam per Aquam tam videlicet ipsorum Burgensium quam aliorum quorumcunque, unum denarium de Libra, et de decem solidis obolum unum, et de quinque solidis unum quadrantem; ita quod denarii inde provenientes per ipsos Burgenses seu deputatos suos circa clausuram prædictam ponantur pro ut melius viderint faciendum. Ac ideo vobis mandamus ut eisdem Burgensibus intendentes sitis et auxiliantes durante termino prædicto. In cujus rei Testimonium has nostras Chartas fieri fecimus patentes per prædictos decem annos duraturas. Teste me ipso apud Westmonast. xxviii die Junii, anno regni Angliæ vicesimo nono, Franciæ sexto decimo.

the said Burgesses as an aid for walling the said Town, they may from the day of the Date of these Presents for ten years next ensuing, to be fully compleat and ended, take and receive by the hands of such persons as they shall depute for this purpose, and for whom they will be responsible, upon all kinds of Goods and Wares brought into the Liberties of the said Town or carri'd out of the same, either by land or by water, as well those of the Burgesses themselves as those of any other persons whatsoever, one Penny in the Pound, and one half-penny in ten shillings, and one farthing in five shillings; so that the pence from hence arising be applied by the said Burgesses or their Deputies to the walling of the said Town, in such manner as they shall think proper. We, therefore, command you to be aiding and assisting to the said Burgesses during the Term aforesaid. In Witness whereof we have caus'd these our Letters Patents to be made to continue in force the ten years aforesaid. Witness ourselves at Westminster, xxviii day of June, in the 29th year of our Reign in England, and the 16th in France.

The first Castle¹ was pull'd down in Henry III his time, and the Town was fin'd for selling the materials, and we are told that a

¹ The Castle was probably the oldest and, perhaps, the only pre-Norman fortification in old Southampton. In plan it was, roughly, a semi-circle, with a chord of about 120 yards formed by the town wall, and an arc measuring 400 feet. The keep was 45 yards in diameter and stood on a considerable knoll in the southern part of the enclosure, and probably in the line of the wall. Leland says that it

new one was built by Richard II,¹ in the first year of whose Reign the Town was vigorously attack'd by the French, but was so bravely defended by Sir John Arundell² that he was rewarded for that service with the Honourable Post of Marshall of England.³

The charges of maintaining the Fortifications prov'd too heavy a burthen for the Inhabitants to bear, and, therefore, 1 Henry IV, the king again assisted them by the following Grant :—

<p>Rex, omnibus ad quos, &c., salutem. Sciatis quod de gratia nostra speciali, ac de assensu Concilii nostri, concessimus dilectis nostris Majori,</p>	<p>The King, to all to whom, &c., Greeting. Know ye, that we of our especial grace and with the consent of our Council have granted to our well be-</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------

was the "glory of the castle," and describes it as "large, fair and very strong both by work and the site of it." But by 1635 it had been allowed to fall into decay, as a traveller who visited the town in that year speaks of it as "a ruined castle environed with a round, strong wall." In Sir Henry Englefield's time a small fragment of a circular tower was still visible, but built up into a house in Castle Lane; the wall of the enclosure could be seen better from the other side of the road, and continued nearly entire till it met the town wall; it was about 6-ft. thick and stood on the top of a high bank, with a deep ditch at its foot. The earthworks of the Castle were considerable. The naturally high ground was scarped, pared, and somewhat raised near the centre of the area, the highest point was surrounded by a circular ditch, the contents of which, being thrown towards, formed an artificial mound. This was probably the Saxon fortress.

1 There is a patent, dated 1378, which orders that a tower should be erected as quickly as possible on old castle hill, with two gates, a mantelet, and an encircling wall, the material for which was to be provided by the king. This patent was granted on account of a petition which had been sent to the king in 1376. In this the "poor commons" and tenants begged, that, as they found the strain of keeping the walls in order too great for them, the king would take the town into his own hands and forgive the fee-farm for the last two years, which sum, they said, with £1000 more, they had spent on the fortifications. They complained, too, that the town was but half inhabited owing to these heavy burdens, and that those who remained were preparing to go; they requested, also, that the king would send them soldiers, they themselves being unable to defend it from the French.

2 Sir John Arundel was governor of Southampton in 1377; it was during his period of office that the keep was re-built. This year was an exciting one for the inhabitants, for the French, soon after the death of Edward III, had burnt Rye, plundered the Isle of Wight, partly destroyed Poole, and were threatening Southampton, when Sir John saved the town by drawing off the enemy. Froissart describes the event thus :—"Sir John Arundel, who had remained at Southampton with his 200 men-at-arms and 400 archers, received information from some prisoners, who had been taken in a Norman vessel, that the Duke of Lancaster had well scoured the ports of Normandy, so that none of the French dared put to sea. He directly ordered his vessels and four large ships to be got ready, laden with provisions, in which he embarked and made sail for Cherbourg, where he was joyfully received. The Castle remained under the guard of the English on the departure of the Navarros, but Sir Peter Basle, the governor, did not leave it. I must inform you that Cherbourg is only to be conquered by famine. Sir John, after he had garrisoned Cherbourg with English, remained there but fifteen days to be re-victualled, and returned to Southampton, of which he was governor."

3 Sir John did not live long to fill this honourable post; he was killed the following year. Froissart continues :—"About this time (1379) the King of England and his Council ordered 200 men-at-arms and 400 archers to Brittany, under the command of Sir John Arundel. They embarked on board their vessels at Southampton. When they had a favourable wind they set sail. The first day it was fair, but towards evening it veered about and became quite contrary, which drove them, whether they would or not, on the coasts of Cornwall. The wind was so strong and impetuous they were afraid to cast anchor. On the morrow the storm continued as fierce as ever and forced them into the Irish Sea, when it became so violent three of their ships sank. Upwards of eighty perished, and in the number the commander-in-chief, Sir John Arundel, which was great pity, for he was a valiant and enterprising knight. Sir Hugh Calverley never before experienced greater peril, for all those who were in his vessel were drowned except himself and seven sailors, who took to the masts and tables to save themselves, and were blown upon the shore, but having swallowed much sea water they were long sick and uncomfortable. When the tempest ceased they returned as well as they could to Southampton, and waited on the King and his uncles."

Stow, in his *Annals* (1580), adds the following graphic touch in his enumeration of the number who perished in this storm. "Upwards of eighty were lost, besides three score women whom they had thrown into the sea to lighten their ship."

Ballivis et probis hominibus Villæ nostræ Suthamptoniæ in auxilium Fortificationis et Reparationis ejusdem Villæ, ducentas Libras percipiendas annuatim quamdiu nobis placuerit in formâ subscriptâ, videlicet, de Subsidio Lanarum in portu villæ nostræ prædictæ per manus Collectorum ejusdem Subsidii pro anno proxime futura Centum Libras, prima solutione ad Festum Paschæ jam proxime sequens incipiente, et de Firma villæ nostræ centum Libras pro eodem anno, elapsoque anno illo percipiendum dictas ducentas Libras ex tunc annuatim quamdiu nobis placuerit de Firma supradicta. Ita quod inhabitantes villam illam et arrentati in eâdem, necnon possessores Bonorum infra villam prædictam de Bonis suis propriis solvant centum libras per annum ad reparationem et fortificationem antedictas. Volentes quod per supervisum delecti Armigeri nostri Ricardi Mawardyn, ac Majoris villæ nostræ prædictæ per contrarotulationem contrarotulatoris nostri ibidem dictæ trescentæ Libræ singulis annis super Reparatione et Fortificatione villæ nostræ prædictæ plenarie et fideliter applicentur. In cujus, &c. Teste Rege apud Westmonast. xvii die Martii.

Per Breve de privato Sigillo.

loved, the Mayor, Bailiffs and good men of our Town of Southampton, by way of Aid for the Fortification and Reparation of the said Town, two hundred Pounds, to be received yearly, during our Pleasure, in the manner under written; that is to say, out of the Duty upon Wooll in the Port of the said Town, to be paid by the collectors of the said Duty there, for the year next ensuing, one hundred Pounds, the first payment to be made at the Feast of Easter next ensuing, and out of the Ferme of the said Town one hundred Pounds for the same year, and after that year they are to receive the said two hundred Pounds for the future, during our Pleasure, out of the said Ferme. So that the inhabitants of that Town and the Renters in the same, and all who possess any Effects there, shall pay at their own proper Costs, one hundred Pounds yearly towards the Repairs and Fortifications aforesaid. And our Will is that the aforesaid three hundred Pounds shall ev'ry year be fully and faithfully apply'd toward the Repairs and the fortification of our Town aforesaid, under the inspection of our beloved Richard Mawardyn, Esq^{re}., and the Mayor of our aforesaid Town, and allso under the Contrroll of our Controller there. In witness, &c. Witness the King at Westminster, xvii of March. By Writ of Privy Seal.

The above Grant continued in force but one year, for the next year they had a new one by which the King releas'd one hundred and forty Marks of the Fee Farm Rents of the Town towards the Repair of the walls.

8 Henry VII.—The King granted fifty Pounds out of the Fee Farm toward the makinge of the new Wall on the West side of the Town. Several private persons contributed at this time, among others, the L^d. Arundell, whose name was giv'n to one of the Towers, call'd Arundell Tower¹ to this day. There was another Tower call'd St. Dionis Tower,² from whence it is probable that the Canons of that Priory had contributed to the fortifications of the Town.³

1647.—The Platform⁴ was built and repair'd. There is a broad Ditch⁵ all round the Town on the Landside and on the Shore; opposite to the mouth of the River Ytchen was a wooden Fort, the Piles of which remain still.

¹ The Arundel Tower marked the north-west corner of the walls; it was 22 feet in diameter and between 50 and 60 feet high. From the Court Leet Records of the reign of Elizabeth we learn that it was falling into ruins at that time and was often damaged by the sea, but in spite of the fact that presentments on the subject were numerous, not much was done to save it from decay.

² St. Dionis Tower was also called Polymond's Tower, possibly after John Polymond, who appears to have been a man of great importance in the town during the latter part of the fourteenth century; he was Mayor several times, and one of the M.P.'s. This tower stood at the north-east angle of the walls, at a distance of about 160 yards from the Bargate. It was a drum 28 feet in diameter, and had three storeys; it remained standing till 1828, and parts of its walls remain still, but they are so built in by houses as to be inaccessible. The breach in the walls, a little distance to the west of it, called York Gate, probably represented a postern.

³ Although two towers only are mentioned by Dr. Speed, in the middle ages there were, altogether, twenty-nine, as we learn from Speed's *Theatre of Great Britain*, which was published in 1596; there he speaks of the town as follows:—"Southampton is a town, populous, rich and beautiful, from whom the whole shire deriveth her name, most strongly walled about with square stone containing in circuit 1200 paces, having seven gates for entrance, and twenty-nine towers for defence, two very stately keles for ships' arrivage, and five faire Churches for God's Divine Service, besides an Hospital called God's House. On the west of this town is mounted a most beautiful Castle, in forme circular and wall within wall, the foundation upon a hill so topped that it cannot be ascended but by staires, carrying a goodly prospect both by Land and Sea."

Much interesting information as to the names and situation of the towers may be gleaned from the *Muster Book* of 1544, and from regulations drawn up by the Mayor in the same year for the defence of the town. We learn that they were assigned to the care of various trades, e.g., the shoemakers, curriers, cobblers, and saddlers were expected to guard Arundel Tower and the one next to it; the goldsmiths, blacksmiths, tinkers, etc., East Gate Tower and the little one close by; the tower nearest to the Wool House was entrusted to the care of the mercers and grocers; the one behind Bull Hall to the coopers; so that all trades had a definite work to do in protecting the town.

⁴ It seems very probable that the platform dates from the end of the thirteenth century, for in the *Annals of God's House* we read that in 1299 a new quay was made opposite the chapel, eighteen boat loads of stone being bought at a cost of £1/8/6. If such is the case this platform must have been a very small part of the nineteenth century platform. In 1647 it was ordered that the platform without God's House Gate "be built and repaired with stonework four feet thick, and a range of stones set against the bulwark over against the bowling green." In the eighteenth century the platform, with shore extending from it to Itchen Ferry, was a favourite drive. Sir Henry Egglefield remarks: "A causeway (causeway) of near half a mile long, planted with trees, leads to the platform and south gate. This walk, which is called the Beach, commands in its whole length a view of the Southampton Water, closed by the Isle of Wight, and it is not easy to imagine a more beautiful or interesting water scene. The view of the town is also pretty, and the new church of All Saints appears from hence to great advantage. It is to be lamented that the marshy meadow (now Queen's Park) close to the causeway is not drained and improved."

⁵ Leland says that the town had a double ditch from "the Castle to the Bargate and from thence

All these Fortifications were kept in repair and furnish'd with Artillery (after Guns came to be commonly us'd, for when the Town was first wall'd, they were not), Ammunition and Gunners at the expence of the Inhabitants,¹ with some small helps of money and Labour, thus:—

37 Henry VIII.—Collections were made for the Bullwarks.

1 Mariæ.—It is enter'd in the Journal that it was an ancient custom for the Lytermen of the Town to bring yearly their Lyter lode of Stones to lye between the Pylls or Town walls, and they were order'd to go forthwith to the Isle of Wight, either to Sandye Bay or the Nedelles, to lode with Chalke, and they shall have for every Lyter of twenty Ton a Barrell of Bere, and under twenty Ton a Verkyn of Bere,² which agreement was made at the bylding of the south Syde next Catchcold,³ and they are henceforth upon Warning given by any officer of the Town, to brynge or cause to be brought, one Lyter of Chalke or stone for the defens of the Town walls, and to discharge it in such a place as seemeth good to the Town.

to the east gate, so also from the east gate almost to the south gate." The tide used to flow into this eastern ditch, but owing to the greater elevation on the northern side, that part between the shore and the Bargate frequently became choked, especially as the townspeople had a reprehensible habit of throwing refuse into it. There are several presentments in the Court Leet Books on this subject, *e.g.*, in 1571 we read: "Wee presente that Thomas Ansell hath made complaynte unto us of the Annice (annoyance) which he sustayneth by reason of the evill savors of dunnge and other filthe whiche is caste and layde upon the towne ditches in the weeste side of the bargate. Be it comaundid that no person doe hereafter caste his soyle or donge there uppon payen of 12d. for every tyme any shalbe taken castinge Soyll there. Yt were very good that ther were a turne pike made ther which wolde partly helpe the matter"; and in 1575 it was ordered that the heap of refuse in the ditch near East Gate should be removed, and that none "throwe ther fylthe under the bridge ther."

Soon after these presentments that part of the ditch lying between the Bargate and the shore was filled in. In Speed's map of 1596 it is not marked, and on the other side of the Bar stood the town butts; they occupied the ridge of land between the two parts of the ditch, and the same map shows they were reached by a bridge from the north. Sir H. Englefield states that the suburb to the north of the Bar was separated from the town by a very broad and deep ditch, which had been filled up within the memory of several persons yet living (*c.* 1800). The town made a profit out of these ditches; in 1625 they were leased to a Mr. Exton for forty years, at a fine of £5 and a yearly rent of 6/8. Fishing was carried on in the water, and on the hanks cattle found pasture.

1 The Inhabitants seem to have regarded this duty in the light of a grievance, for many are the complaints made as to the heavy hurden it laid upon them. Also, if they considered their private property could be improved by digging near the walls, they cared nothing for the harm that might ensue to the foundations. There is a presentment of the Court Leet, 1571, that the hank by the wall from East Gate to the Tower, at the corner towards Houndwell, was digged "to the great decaye of the wall," and that if it was not speedily mended the wall would shortly fall into the water. In this year (1571) alone there are no less than seven presentments on this subject; and in 1577 it was presented "that the town wals in most places do decay and more will decay by the sufferance of yvye (ivy) elders and such other weedes to growe on them which we thinck very necessarie to be lookid unto." Nor were the walls treated with any respect, for in 1550 a certain Mr. Mylles, who may possibly have been the Recorder, made a hole through the wall in order to bring some chalk into his premises. The Court Leet justly complained, and required him to fill up the gap with lime and stone, under penalty of 40/-.

2 Barrel of beer—36 gals. Verkyn or firkin—9 gals.

3 Catchcold, the tower lying next to Arundel Tower, and south of it; it was frequently damaged by the sea, hence the necessity for putting stones at its base to form a breakwater.

1634.—The Boatmen of Heath were order'd to bring stones according to ancient Custom.

1683.—Heithe Boatmen. Their ancient Duty and Service is to bring every half-year one Boat or Lighter loading of Stones, and to throw or put them against the Town Walls within the Piles, or else to pay four pence every time they land any Passengers or Goods, to be levied by the Water Bailiff¹ upon their Cordage, Sails,² &c.

The above are all the particular grants I have met with in aid of the Fortifications, but in all their general Charters since the Town was fortify'd, the charges and expence incurr'd by the Town on this account is mention'd as the reason for granting them such extensive priviledges; and the general charter of Edward VI does, for this reason, release one hundred and fifty Pounds a year of the Fee Farm Rent of the Town on certain conditions, which will be seen when we come to that Charter; for the same reason one of their Priviledges, viz., the forfeiture of all strangers' Goods sold in the Town by Retail or to Strangers, was confirm'd by an Act of Parliament,³ 4 Jacob. III, and in the year 1719 Mr. Sergt. Pengelly gave his opinion that the Town's Right in this matter was good; but upon a trial, the Town was cast.

13 Henry VII.—The Castle Wall was pull'd down.

N.B.—The Castle was no part of the Fortifications in which the Town was concern'd, but allways belong'd to the King. The site of it was granted away by King Charles I to one George Gollop, Esq.⁴ It has since been parcell'd out to several people, who have built Houses and made Gardens upon the Ground, and

¹ Water-bailiff.—An officer appointed for searching ships in a port. One of his duties, formerly, was to arrest men for debt, and for crimes committed on the high seas.

² Dr. Speed adds to this a footnote: "The meaning of all this is that the sea-shore is fill'd all along at the bottom of the Town Walls, and the Stones were to be laid between those Piles, to save the foundation of the Walls from being wash'd away by the Tides. There was formerly a Horse Ferry to Heithe which was under the Government of the Magistrates of this Town, and most probably the Boatmen who ply'd the Ferry were the Persons of whom this Duty and Service were requir'd. These Piles thus fill'd up with stones are call'd Banks in the Journals. Thus, A.D. 1609,—'The Bank under Aroodel Tower is order'd to be speedily amended.'"

³ By No. 23 of the Guild Ordinances it was illegal for a stranger to buy merchandise coming into the town before a Burgess of the Guild Merchant, if the latter were present and desired to buy those goods. If this rule were broken, all the goods bought were to be forfeited to the King. The word "stranger" used here and throughout the Guild Ordinances did not necessarily mean a foreigner, but a person who lived outside the town liberties; such people were allowed to do business in the town only on sufferance. See Appendix P.

⁴ In the preceding reign the Castle was granted, for a sum upwards of £2000, to Sir James Ouchterlony and Richard Garnard, who made it over to William Veey, of Basingstoke. From him it passed into the possession of the Gollop family; Roger Gollop, to whom it belonged in 1650, gave permission to the commandant of the town to take from the ruins such stones as were necessary to repair the fortifications.

the Ditch of it is converted into Gardens to some Houses in the Town that lay round it; the Hill on which the Castle stood remains,¹ and has a Summer House upon it, built with the materials of the old Castle; this was formerly a Wind Mill.

There is enough of the Walls left to show the compass of it; and within its Precincts some arched Vaults have been found in digging the foundations of Houses, &c., which some people fancy were private ways to other parts of the Town, but I take them to have been Magazines and Storehouses for the use of the Castle; there is one in a Garden adjoining to the Town Wall which has much the air of a Chappell.²

It is not easy to determine the precise time when this Town ceas'd to be a garrison, but it's consequence in that respect grew daily less, in proportion to the encrease of Portsmouth, and I do not apprehend that it was ever consider'd in that light after the Restoration.

The Walls are still standing all round the Town, but are in a very ruinous condition; only those on the South and West sides, which lie next the sea, are kept in such repair as to prevent damage from the Sea.

As this was never a Royal Garrison, but was allways maintain'd by the Inhabitants, the material and ground belonging to the Fortifications are now the Property of the Corporation; they being the only part of the Inhabitants that are a Person in Law capable of holding Possessions in Common.

CHAPTER VI.—THE CONDUITS AND WATER WORKS.

The fresh Water with which the Town is naturally supplied by Wells is, for the most part, very indifferent and unfit for many domestick uses; the Inhabitants, therefore, were oblig'd to have recourse to Art for a supply of better, which is brought near a mile in leaden Pipes to Cisterns or Conduits in the Town. The

¹ The mound on which the keep stood was removed early in the nineteenth century, when coins of Offa of Mercia and other Saxon relics were found; this seems to prove that the Norman keep was built on an earthen fortification of Anglo-Saxon times.

² This vault is probably the Norman Chamber the door of which can be seen in the wall between the Forty Steps and the bottom of Simnel Street, now used as a store. It is fifty-five feet long, twenty wide, and twenty-five high, and was doubtless used for landing goods from Castle Quay. No means of communication with other parts of the Castle can now be traced, but there may have been secret passages and flights of steps.

first Work of this kind that we have any account of was a benefaction to the Convent of Friars Minors¹ in the Town, concerning which Bp. Tanner² mentions *Rot. Pat.*, 8 Edward I, m 24 :—

De Fonte quodam in manerio de Shirle Fratribus minoribus concessio per Nich. de Barnfleet³ et Licentiâ claudendi eundem muro lapideo et Aquam ducendi per Aquæ ductum subterraneum usque ad Fontem Achardi, et ab illo fonte ad Eccles: dictorum Fratrum.

In the same place he mentions :—

Breve ad quod damnum de conductu Aquæ a Forte quodam vocato Colwell.

Concerning a certain Spring in the Mannour of Shirle granted by Nich. Barnfleet to the Friars Minors and a Licence for enclosing the same with a stone Wall, and bringing the water by a conveyance under ground to Achard's Spring, and from that Spring to the Convent of the Friars aforesaid from the Registrum Brevium.

A writ ad quod damnum, Concerning the conveyance of water from a Spring call'd Colwell.⁴

For farther particulars relating to this matter see the Register of the Friars Minors, recited at large in the chapter concerning Religious Houses within the Town and it's Precincts.

In process of time the Pipes ran to decay, and the Friars were not rich enough to put them in Repair; so, one of the Burgesses having left a Legacy towards the Repair of them, the Friars con-

¹ Friars Minors (see Chap. XV)—Grey Friars, a religious order established about 1210 by St. Francis of Assisi; they were also known as Minorites, or Friars Minor, a name given them by their founder as a token of humility. They were required to renounce all the pleasures of the world, and take a vow of absolute poverty; their work was to beg and preach.

² Bishop Tanner (1674—1735) was the author of two well-known works, *Notitia Monastica, or a Short History of the Religious Houses of England and Wales*, which was published in 1685, and *Bibliotheca Britannico-Hibernica*, which gives an account of all the authors in the three kingdoms down to the beginning of the seventeenth century. He was a friend of Bishop Gibson, with whom he carried on many antiquarian researches; he laboured at an edition of Leland's works for several years, and wrote a history of Wiltshire, from which additions were made to Gibson's edition of Camden's *Britannia*.

³ This Nicholas de Barbeflet, or de Shirley, was the founder of the town's waterworks. He made a grant of the spring of Colwell in the year 1290, but for some reason no steps were taken to bring the water to the monastery until 1304, and it was some years later before the works were completed. (See Chap. XV).

⁴ "A spring called Colwell,"—now in the grounds of Springhill Court, belonging to W. F. G. Spranger, Esq. "Le conduit hede" still remains; there are three vaulted chambers, the outermost being the most modern, from which a short passage leads to a vault formerly used as the water head; and from this a tunnel, 10 ft. long, goes into a small inner chamber, about 6 ft. in diameter, where the water rises. An underground pipe conveyed the water thence to Achard's Spring, near which another water house was built, close to St. Peter's Church. Another conduit was made above Achard's fountain in Goswell Lane, an old thoroughfare which led from London Road to the shore, bounding the West Magdalen Fields on the north and crossing Commercial Road just above St. Peter's. This road was afterwards, from this circumstance, known as Waterhouse Lane; the only part of it still remaining is the footpath connecting Cumberland Place with Commercial Road.

vey'd all their Right and Title to the Conduit-head, Pipes, &c., to the Mayor and Corporation, by the following Grant :—

Omnibus in Xto fidelibus ad quos præsens scriptum indentatum pervenerit. Nos Robertus Horewood, Guardianus Ordinis Fratrum Minorum Villæ Suthampton et ejusdem loci Conventus salutem in Domino sempiternam.

Cum Nos et Predecessores nostri temporibus retro flexis tenuimus, habuimus, et teneamus et habemus in præsentī quoddam parvum ædificium petrium apud Hill juxta Suthampton situm vulgariter nuncupatum le Condit Hede ad quod quidem ædificium ac in et de quo ædificio solet et solebat emanare, currero et effluere magna copia Aquæ dulcis et deduci per quendam Aquæ ductum nostrum prædictorum Guardiani et Conventus ac Predecessorum nostrorum per Villam Suthampton prædictam in Vico Anglico usque domum nostram conventualem villæ prædictæ et quia pluribus de causis dictus Aquæ ductus per longum tempus præteritum minus sustentatus existit nec reparatus. Nos præfati Guardianus et Conventus per Johann. Flemynge et Thomam Winterbane executores testa-

To all the faithful in Xt to whom this present Deed indented shall come. We, Robert Horewood, Prior of the Order of Friars Minors, of the Town of Suthampton, and the Convent of that place, health everlasting in the Lord.

Whereas we and our Predecessors have in times past had and held, and at present have and hold a small stone Building situate at Hill near Suthampton, commonly call'd the Condit Hede, to which Building, and in and from which there does and has been us'd to issue, run and flow a great plenty of sweet water carried by certain Water Pipes belonging to us, the said Prior and Convent and our predecessors, through the Town of Suthampton, in the English Street,¹ to the House of our Convent² in the said Town, and because the said Conveyance of water has for many reasons been for some time past very ill kept up, and has not been repair'd. We, the aforesaid Prior and Convent, being specially requir'd by John Flemynge and Thomas Winterbane, executors of the will of

¹ The lower part of the present High Street was called English Street, a name which dates back to Norman times, when Southampton, like some other towns, had a French quarter. This quarter took in French Street and Bugle Street, and it is possibly for this reason that the parish church in this part was dedicated to St. Michael, the Patron Saint of Normandy.

² The Convent was situated where Gloucester Square now stands; this site was chosen because it lay in the midst of a poor district, and the Friars Minors were required to make it their first duty to look after the poor. It was close, too, to God's House Hospital.

menti Johannis Bennett nuper Burgensis villæ Suthampton prædictæ ad honorem Dei et pro salute animæ præfati Johannis Bennett specialiter requisiti ut dicta nostra copia Aquæ dulcis a capite et origine ejusdem Aquæ, ac ex et de ædificio nostro prædicto usque in villam Suthampton prædictam et per eandem villam in quoddam ædificium petrium in eadem villa erga Ecclesiam S^{tæ} Crucis ad costas et expensas dictorum executorum de novo fiendum, et abinde usque in domum nostram conventualem prædictam tam ad communem utilitatem nostrum Guardiani prædicti et Conventus et Successorum nostrorum, quam ad usum et communem utilitatem Majoris et totius Communitatis Villæ prædictæ et eorum Successorum in perpetuam, modis et formis pro ut inferius exprimetur deduci, reparari et sustentare possit temporibus perpetuis duratura.

Noveritis nos præfatum Guardianum et Conventum ex unanimi consensu et assensu pro nobis et Successoribus nostris in perpetuum ad honorem Dei et salutem Animæ dicti Johannis Bennett, et specialem amorem quem habemus versus Majorem et Communitatem Villæ Suthampton prædictæ concessisse Johanni Mascar, Majori Villæ Suth-

John Bennett, late Burgess of the Town of Suthampton aforesaid, for the honour of God and for the health of the Soul of the said John Bennett, to let our foresaid plenty of sweet water be bro^t from the head and spring of the same, and out of and from our Stone Building aforesaid to the said Town of Suthampton, and through the said Town to a certain Stone Building in the same, to be built new by the said executors over ag^t Holy Rhood's Church and from thence to the House of our Convent aforesaid, as well for the common benefit of us the Prior and Convent aforesaid and of our Successors as for the use and common benefit of the Mayor and of the whole community of the Town afores^d and of their Successors, and that the conveyance of the s^d water may be made, repair'd and upheld to last for ever in such manner and form as is herein after express'd.

Now, Know Ye that we, the foresaid Prior and Convent with one consent and assent, for us and our Successors for ever, to the honour of God and for the health of the soul of John Bennett afores^d, and the particular affection which we bear to the Mayor and Community of the Town of Suthampton afores^d, have granted to John Mascar, Mayor of the

ampton prædictæ et ejusdem Villæ Communitati et eorum successoribus in perpetuum quod ipsi Major et Communitas et executores prædicti habeant et extra terram capiant ad costas et expensas eorundem exsecutorum omnes et singulas fistulas sive pipas plumbeas nostras dicti nostri Aquæ ductus a capite et origine dictæ Aquæ dulcis usque ad murum lapideum Cimæterii loci nostri prædictæ ad dictas fistulas sive pipas ad communem utilitatem prædeclatorum effundendas, et de novo construendas cum novo plumbo præfatorum exsecutorum et quod ipsi Major et Communitas seu eorum successores per eosdem exsecutores faciant ex eodem plumbo communem de et ex fistulis sive pipis plumbeis nostris prædictis, ac ex novo plumbo eorundem bonum et sufficientem Aquæ ductum ex et de ædificio nostræ prædictæ usque in oppositum finis occidentalis Ecclesiæ S^{tie} Crucis villæ Suthampton prædictæ et quod præfati Major et Communitas in loco prædicto, ad costas et expensas exsecutorum dictorum faciant quoddam ædificium petrium, ad et infra quod quidem ædificium adducent totum prædictum Aquæ ductum cum copia Aquæ dulcis prædictæ, et in quo quidem ædificio prædicto sic ante finem Ecclesiæ præ-

Town of Suthampton aforesaid, and to the community of the same Town for ever, that they, the s^d Mayor and Community and the executors afores^d may have and take out of the ground at the cost and expence of the said executors, all and singular our leaden pipes of our conveyance for Water from the head and spring of our said sweet water to the stone wall of the Churchyard of our Convent, the said pipes to make with new Lead and new cast for the common benefit of the Parties before recited, and that the said Mayor and Community or their successors shall and may make out of the same Lead, by means of the said executors, that is to say, out of our leaden pipe aforesaid and new lead of their own, one common good and sufficient conveyance of water from our Building aforesaid to that part of the street which is opposite to the West End of Holy Rhood's Church in the Town of Suthampton aforesaid, and that the foresaid Mayor and Community shall, in the same place at the Cost and expence of the said Executors, erect a certain stone building, to, and to the bottom of, which Building they shall bring the whole water course, and all the sweet water aforesaid, and within this Building so situated and over against the end of the Church afore-

dictæ situato præfatus Major et Communitas per eosdem executores et ad costas et expensas dictorum executorum facient totam integram fistulam sive pipam plumbeam cum copia Aquæ illius Aquæ ducti directe in altitudine exurgentem, ex qua quidem magna et integra fistula plumbea sive pipa sic ibidem erectas sive erigenda, viz., in summo illius fistulæ sive pipæ plumbeæ integræ et equali quantitate et mensura, tam in grossitudine altitudine, latitudine et strictitudine procedent duæ fistulæ sive pipæ plumbeæ per quas copia Aquæ dulcis illius Aquæ ducti emanare et effluere poterit, viz., una fistula sive pipa plumbea dictarum fistularum cum medietate copię Aquæ dulcis illius Aquæ ducti descendet in quoddam Aquæ receptorium a sistern vulgariter nuncupatum ad usum et commoditatem dicti Majoris et Communitatis ac eorum successorum in perpetuum; et quod altera fistula sive pipa prædeclarata, cum altera medietate copię Aquæ dulcis illius Aquæ ducti descendet et curret in fistula sive pipa plumbea ad costas et expensas etiam dictorum executorum sufficienter fienda ad et infra murum lapideum Cimiterii nostrum Guardiani et Conventus, viz., ad locum ibidem antiquitus consuetum

said the said Mayor and Community shall, by the said executors and at the cost and expence of the said executors, erect one leaden pipe to receive the whole plenty of sweet water aforesaid to rise perpendicularly, from w^{ch} great and entire leaden pipes so erected or to be erected, that is to say, from the top of it, shall proceed two leaden pipes of equal measure in thickness, height, diameter, and circumference, by which plenty of the sweet water of that conveyance for water may issue and flow, that is to say, one of the two leaden pipes before mention'd with one half of the plenty of sweet water of the foresaid conveyance of water shall fall down into a certain reservoir for water commonly call'd a sistern, for the use and commodity of the aforesaid Mayor and Community, and of their successors for ever, and the other of them, with the other half of the plenty of the sweet water of the conveyance for water aforesaid, shall fall into and run in a leaden pipe, to be sufficiently made at the Cost and expence of the said executors, to and under the stone wall of the Churchyard of us, the said Prior and Convent, that is, to the place where it was of old us'd and accustomed to be. AND the Mayor and Community afores^d do

et usitatem. ET VOLUNT etiam et concedunt præfatus Major et Communitas pro se et successoribus suis quod præfati Guardianus et Conventus ac eorum successores in perpetuum habeant et possideant unam clavem de ostio domus sive ædificii petrii sicut præmittitur erga dictam Ecclesiam S^{tas} Crucis de novo fiendi, et liberum ingressum et egressum ibidem ad supervidendum Aquæductum prædictum totiens quotiens necesse fuerit infra domum seu ædificium prædictum, et etiam prædicti Major et Communitas obligant se et successores suos in perpetuum per præsentis sumptibus et expensis eorum propriis bene et competenter totiens quotiens necesse fuerit omnibus et singulis temporibus futuris ad reparandum emendandum et sustentandum totum integrum aquæ ductum et omnes et singulas fistulas sive pipas ejusdem Aquæducti a capite et origine dicti Aquæducti usque ad dictum murum lapideum dictorum fratrum minorum loco consueto supradicto, absque aliqua contradictione dilatione, vel impedimento aut tardatione, seu defectu prædictorum Majoris et Communitatis aut successorum suorum aliquibus temporibus in futurum. ET VOLUNT etiam et concedunt præfati Major et Communitas pro se

grant and agree for themselves and their successors that the Prior and Convent and their successors for ever shall have and keep one key of the door of the house or stone Building to be built as aforesaid opposite to Holy Rhood's Church, and shall have free ingress and egress there to survey the said water pipes as often as need shall be within the said house. And allso the said Mayor and Community do, by these presents, farther oblige themselves and their successors for ever, at their own proper Costs and Charge, at all and every time hereafter, well and sufficiently to repair, amend and sustain as often as need shall require in all future times, the said whole or main conveyance of water, and all the pipes of the same, from the head and Spring of the same to the said Stone wall of the Friars Minors aforesaid, at the usual place aforesaid, without any contradiction, demurr, impediment, delay or deficiency of the said Mayor and Community or their successors, at any time hereafter to come. AND the Mayor and Community aforesaid, for themselves and their successors, do grant and agree that the said Prior and Convent and their successors for ever shall have the Key and the whole and sole keeping of the house or stone building at Hill afore-

et successoribus suis quod præfatus Guardianus, Conventus et eorum successores in perpetuum habeant clavem et integram et plenam custodiam domus sive ædificii petrii de Hill prædicti absque aliquo impedimento dicti Majoris et Communitatis aut eorum successorum. Proviso semper quod totiens quotiens necesse fuerit dictam domum sive ædificium patrium emendari vel sustentari, sive aliquid infra idem ædificium pro commodo dicti Aquæ dicti videri seu reparari quod præfati Guardianus et Conventus et eorum Successores vel eorum rectus Attornatus cum præfato Majori et Communitate et eorum successoribus vel eorum recto Attornato aut deputato venient parati cum clave sua ædificii prædicti ad aperendum Ostium ejusdem ædificii totiens quotiens necesse fuerit, absque difficultate aliqua. Et nos præfatus Guardianus et Conventus pro nobis et successoribus nostris volumus et concedimus per præsentem in perpetuum quod si contingat dictum Aquæ ductum aliquo loco frangi, disrumpi, destrui vel aliquo modo imeporari (quod absit) et hoc in defectu nostro aut successorum nostrorum quod tunc licebit bene præfato Majori et Communitati et eorum successoribus dictum ædificium nostrum petrium,

said, without any hindrance from the Mayor and Community aforesaid or their Successors. PROVIDED allways that as often as it shall be necessary for any thing to be done about the said house or stone building, in order to mend or uphold the same or to survey or to repair the same, for the benefit of the s^d conveyance of water, the said Prior and Convent and their successors or their lawfull Attorney shall be ready with their Key to go with the said Mayor and Community or their successors or their lawfull Attorney or Deputy, and open the door of the said House as often as need shall require, and shall make no difficulty to do it. AND WE, the Prior and Convent aforesaid, for us and our successors do, by these presents, grant and agree for ever that if it shall happen that the said conveyance of water be in part of it broken, burst, or in any way damag'd (which God forbid), and this be occasion'd by any default of us or our successors, that from that time it shall be lawfull for the said Mayor and Community and their successors to break open, enter into, and seize into their own hands our said stone Building, and to take into their own possession, and to hold for ever the whole main pipe aforesaid,

frangere, intrare, et in manus suas proprias scisire, et totum prædictum integrum Aquæ ductum, cum tota copia illius Aquæ ductis in eorum propriam possessionem capere, possidere et in perpetuum eis ad usum Communitatis villæ prædictæ retinere, absque aliquo impedimento seu reclamo nostrum prædictorum Guardiani et Conventus aut successorum nostrorum in futurum.

Ad quas quidem conventiones omnes et singulas supradictas ex utraque parte firmiter tenendas et complendas tam nos præfati Guardianus et Conventus uni parti horum Indenturarum penes præfatum Majorem et Communitatem et eorum successores remanentem sigillum nostrum commune de Conventu nostro prædicto apposuimus ac præfatus Major et Communitas alteri parti horum Indenturarum penes nos Guardianum et Conventum remanentem sigillum suum commune apposuerunt.

Datum apud Suthampt. prædict tertio die Octobris, A.D. 1420, Anno vero Regni Regis Henrici quinti post Conquestum octavo.

On the back of the copy, which I saw, of this Grant, w^{ch} was an attested copy, was endors'd the following Accompt:—

	£	s.	d.	£	s.	d.	£	s.	d.
Hollirode	14	12	0						
St. Laurence	3	2	0	41	11	8	113	2	4
St. Mich.	6	11	0						
All Saints	7	5	8						

with all the said plenty of sweet water, and to keep them to themselves for the use of the Community of the fores^d Town for ever, without any let or reclaimer on the part of us the said Prior and Convent or our successors in any future time.

For the better and completing all and singular which Covenants foresaid on both parts, as well we, the Prior and Convent aforesaid, have put our common Seal of our Convent to one part of these Indentures remaining with the said Mayor and Community and their Successors, as to the other part remaining with us, the Prior and Convent, the said Mayor and Community have put their Common Seal.

Given at S. Hampton afores^d the third day of October, A.D. 1420, and in the eighth year of the Reign of Henry V since the Conquest.

I suppose that the last Sum was the Legacy of John Bennett, and that this not being sufficient, each Parish paid the Sum set against their names towards perfecting the work. This is the chief Spring by which the Town is now supply'd with water, and it is still call'd the Friars Conduit Head.¹

7 Henry VIII, John Flemynge, Esq.,² made the following Grant : "To all Christian people to whom this Writing shall come, John Flemynge, of the Town of Suthampton, Esq., sendeth greeting in our Lord God everlasting. Where it is so that the Mayor, Bailiffs and Burgesses of the Town of Suthampton have a conveyance for water, otherwise call'd a water house made with stone under the ground, from a head of a water spring in a Ground of mine call'd Lobery Mead³ unto a Conduit head of the said Mayor, Bailiffs and Burgesses, being in Goswell Lane. KNOW YE, we, the said John Flemynge, to have given and granted, and by this my present Deed to have confirm'd unto Will^m Chalke, Mayor of the s^d Towne, Rob^t Millis and Rob^t Raynold, Bailiffs of the same Towne, and to the Burgesses of the same and to their successors for evermore, the said Head and Spring being in Lobery Mead, and allso the said Water course, with free going in and free going out, with all manner of Carriage necessary for repairing, maintaining or amending of the said Head or Water course, and allso free liberty to dig and cast the ground for searching of the said Water work as often as need requireth, as well in the said Lobery Mead as in all other places of my ground lying and being betwixt the said Head and Spring in Lobery Mead and the said Head in Goswell Lane, as the said water leadeth and runneth, without contradiction, lett or impediment of me, the said John Flemynge, or mine Heirs, and without anything for the same to me or mine heirs hereafter to be paid. And I, the s^d John Flemynge, for me and mine Heirs, the foresaid Head and Spring in Lobery Mead with the said water course leading and running in and through all my ground lying and being as well betwixt the said two Heads as in other places, with free going in and free going out, with all manner

¹ Sir Henry Englefield, writing in 1801, says: "The conduit which stands opposite the Church (Holy Rood) is a modern and ugly building. The springs which supply it are excellent. The water was formerly brought in earthen pipes, formed in lengths of about three feet. They are still not unfrequently dug up in the repairs of the pavement."

² John Flemynge was a member of Parliament for Southampton in 1503-4; he held, also, the office of Mayor at the same time, and was sheriff in 1499.

³ Lobery Mead at one time was part of the common lands of the town. Grosvenor Square and the Polygon now stand on it. The water from this spring was conveyed into the water house in Goswell Lane.

of Carriage for the maintaining of the said water works and Pipes of Lead, and also free digging and casting of my ground for searching and amending of the same water work and Pipes of Lead as often as need requireth, to the said Mayor, Bailiffs and Burgesses, and their successors for evermore against all men, shall warrant and defend by these presents. IN WITNESS thereof, I, the s^d John Flemynge, to this my present Deed have put the seal of mine Arms, and for because that the seal of mine Arms is to many men unknown, therefore the sign of the Notary publick under written hereunto is put in true and faithfull Testimonial of all and singular the Premises. These men being present and bearing Record : the right Hon^{ble} and prudent men, John Dawtrey, Esq^r and Rich^d Palshyd, Collectors of the Customs and Subsidies due to our Sovereign Lord the King, within the Town and Port of Suthampton aforesaid ; Nicholas Cowarte, Richard Hill, and John Husee, Gentlemen, with many others.

“Written at the said Town of Suthampton, the first day of the Month of June, in the seventh year of the Reign of our most redowted Sovereign Liege Lord King Henry the eighth..

JOHN FLEMINGE.”

Here follows the Attestation of a publick Notary, John Williams.

An Agreement between the Mayor, &c., and Jn. Flemynge, for All Sts. Conduit :—

“This Indenture made the twentieth day of August, in the seventh year of the Reign of our Sovereign Lord King Henry VIII, between Will^m Chalke, Mayor of the Towne of Suthampton, Rob^t Millis and Rob^t Raynold, Bailiffs of the same, and the Burgesses of the same Towne, on the one parte, and John Flemynge of the same Towne, Esq^r., on the other parte. WITNESSETH that the said Mayor, Bailiffs and Burgesses have licensed and granted at the instance of the said John Flemynge, that there shall be a sosprey, otherwise call’d a small Pipe of Lead made with a stop, convey’d out of the great Pipe of the Conduit of the said Towne, at the S.W. corner of All Hallow’s Church within the said Towne of Suthampton unto the said Church wall, and there to issue and to have course out at a Cock of Brass, to be made staunch at the Costs and Charges of the said John Flemynge and his Assigns, at all times betwixt All Hallow’s Tide and the beginning of August, so that there be sufficient water at all the other Conduits within the said Towne and no otherwise. AND the said John Flemynge granteth that he and his Assigns shall well and substantially, as shall be advis’d by the said Mayor and his brethren, enclose the

place where the said sosprey, otherwise call'd a small Pipe with a stop, shall be convey'd out of the great Pipe of the Conduit with two Locks and Keys, the Warden of the Friars observants¹ (formerly Friars Minors) and his successors for the time being to have the Keeping of one Key, because the Conduit first mov'd and came by the sⁿ Friars, and the Mayor of the foresaid Towne, for the time being, to have the keeping of the other Key, so that they may be lawfully and peaceably, at all times when scarce of water shall be at any of the other Conduits, upon due proof made of the same by the Mayor, Aldermen, and Warden of the Friars, for the time being, and the said John Flemyng or his Heirs, resort to the same sosprey, otherwise nam'd a small Pipe with a stop, and to stop up the same till sufficient water come again.

"And the same John Flemyng granteth that neither He, his Heirs, ne Assigns, ne no other person or persons, by colour of this Grant, shall lett or deny the said Mayor and Warden, ne their successors or Deputys, to resort at all times hereafter unto the said sosprey, otherwise nam'd a small Pipe with a stop, for stopping and shutting up of the same, upon evident proof as is aforesaid when scarcity of water shall be at any of the other Conduits already made within the said Towne, as well being betwixt the Feast of All Hallow and the beginning of August as at all other times of the year, unto such time as sufficient Plenty of water shall come again; and if it fortune and be evidently prov'd by the Mayor and other aforesaid or their successors, that the said sosprey, otherwise call'd a small Pipe with a stop, so new made, to be great and continual hurt to the coming home of the water to any of the other Conduits ready made within the said Town, that then the said Sosprey, otherwise nam'd a small Pipe with a stop, and the Cock, so of new convey'd out of the great Pipe of the Conduit as is aforesaid, to be reclos'd and shut up again in as sure and strong manner as it was before the making of the same, without any trouble, vexation, lett, contradiction or Impediment of the said John Flemyng, his Heirs or his Assigns, or any person or persons by colour of this Grant, this Indenture in any wise notwithstanding. AND where the said John Flemyng stands bounden unto the said Mayor, Bailiffs and Burgesses of the Towne of Suthampton and their successors, in an obligation in the sum of a hundred Marks sterling, bearing Date the day and year of these Indentures, yet nevertheless the said Mayor, Bailiffs, and Burgesses granted that

¹ Friars Observants. See Chap. XV.

if the said John Flemyng, his Heirs and Executors, well and truly observe, keep, suffer, obey, perform, fulfill, and do all manner of Grants on their party to be observ'd, kept, suffer'd, obey'd, perform'd, fulfill'd and done, as is afore rehears'd, that the said obligation to be void and of none effect otherwise to stand in his full power, strength and virtue.

"IN WITNESS whereof to the one part of these Indentures remaining with the said John Flemyng, the said Mayor, Bailiffs and Burgesses have put their common Seal, and to the other part, remaining with the said Mayor, Bailiffs and Burgesses, the said John Flemyng hath put his seal.

" Geven the day and year aforesaid,

JOHN FLEMYNG."



SEAL.

It appears by the endorsement of the Friars' Grant above mention'd that the Inhabitants contributed to the first Repair, and it is plain from many entries in the Corporation's Journals that they allways continued to do it; it is likewise very clear that this contribution was by a Rate, for I have seen an Acc^t Book in the Audit House, entitled "The Boke of the Condyte money, Anno 1536 tempore Sampsonis Thomas, majoris," containing a list of the Inhabitants' names, and against every name is set a certain Sum, and before the name is set down half that sum paid, so that one half year of the Rate had been collected thus :

paid 3d. | A. B., 6d.

They went on in this manner very well till about the year 1740, when some captious people refus'd to pay the Rate, and rais'd such a mutinous uproar in the Town, that the Corporation thought fit to wave this, their undoubted Right, and join'd with the mutineers in a Petition for an Act of Parliament, by w^{ch} the whole Property and management of the Town Waterworks is vested in Commissioners, of whom the Mayor, Recorder, and six senior Burgesses are allways to be eight, and twenty-four others are to be chose yearly out of the several Parishes, as other Parish Officers are chose. The consequence of this is that the Town is now supply'd with the same water, just as it was before, at five times the expence.

Besides this conveyance of water to the Town, there are in a common field call'd Houndwell field, two springs¹ from w^{ch}

¹ The Houndwell water house stood in what is now the Palmerston Park, not far from the bottom of Pound Tree Lane. There were two distinct springs; the water of one of them was believed to be very good for the eyes.

the water is convey'd into a water house in the same field ; what the original use of this house was I nowhere find, but 6 Henry VII, a new well was made here, and a watering place for Horses, and a washing place for Women.

There was once another Supply of water brought to the Town by one Roger Pedley, but as it has been destroy'd many years I shall refer it to the Appendix (C).

There is another Conduit of which I find no mention anywhere ; it stands near the Hospital of God's house, and as the Master of that Hospital¹ bro^t the water to the Convent of the Friars, it is very probable that he, at the same time, continued it to the neighbourhood of his own Hospital.

CHAPTER VII.—THE KEYS OR QUAYS.²

It is remarkable that at the time when the Trade of this Town was in its most flourishing state,³ there was no Key at all,⁴ and the landing place is call'd in the Laws of the Gild only the sea shore.

16 Henry VIII, A.D. 1525.—The new key at Watergate⁵ was pyl'd ; and the next year it was pav'd and gravell'd.

A.D. 1613, it was lengthened 60 feet ; and A.D. 1765, it was again lengthened forty yards, towards the expence of which the two Members of Parlement for the Town, Hans Stanley, Esq^r,

¹ Master of that Hospital—Henry de Bluntesdone, Chap. XV.

² Dr. Speed has here a marginal note :—" In 32 Chas. II (1680) the lawful quays of Southampton, a head port, were thus by commission returned into the Exchequer.—'South Quay or Water-gate has one pair of stone stairs at the south end, and two other pair on the east side. It measures about 223 ft. in length from the Water-gate and town wall to the head of the said quay ; and in breadth by the said gate and wall, about 190 ft., and only about 63 ft. at the head.

" West Quay measures about 225 ft. in length from the West Gate to the head of the quay, and in breadth near the said gate and wall, about 58 ft., but at the head of the said quay not more than 37 ft "

³ The trade of the town was most flourishing in the centuries following the Norman Conquest ; it began to decline with the loss of the English possessions in France, in the reign of Henry VI.

⁴ There was a quay belonging to the castle, though it was not used for trade purposes by the town's folk. In 1214 the bailiffs of Southampton were ordered to repair it, and the same order was issued in 1218, in words which suggest that this quay may have been used to land the king's wines. Again, in 1222 orders were given to repair without delay " our quay during the winter lest owing to that quay any damage occur to our houses in Southampton." Similar commands are met with, which seem to imply that these king's houses stood on the quay, or were raised only slightly above sea level.

⁵ The original of our present town quay. It does not appear to have been very new in 1525, for in a patent of Edward IV (1411) it is stated that the burgesses had constructed a " wharf with a crane upon it at Watergate," and that the king authorised them to take toll from all persons who used it.

and Hen. Dawkins, Esq^r, contributed five hundred and fifty eight Pounds each, and this is the present state of that Key, which is the principal one. The Corporation p^d £450 out of their common stock. When the West Key was first made I do not find; in the Laws of the Gild it is call'd West hithe¹ (*Hithe* is a landing place for boats, as Queen Hithe in London—we call it a Hard). This Key was lengthened 14 Eliz., A.D. 1576.²

A.D. 1583.—A Decree was sent down under the Exchequer Seal, sign'd by several Officers of the Customs, certifying that these two Keys are the only Keys to this Port.³

There are many entries in the Journals of people's being fin'd for landing Goods at other places, as Redbridge, &c., but this is not regarded now, only they must enter their Goods at the Custom House here and must pay the Petty Customs to the Town.

CHAPTER VIII.—THE MARKET HOUSE AND MARKET.

The Market for Butter, Eggs, &c., was originally kept in the High street, opposite to St. Lawrence Church. The Fish Market⁴ in S^t Michael's Square, and the Butchers' Shambles at the dead wall of the Friary,⁵ where Sheds have since been built for Shops, but they are very lately taken down.

¹ Law 50.—“For Smmel Street to the fish-market and the whole of Bull Street with all West-heuthe to the Castle there shall be three aldermen” (to keep watch and ward).

² In the earliest extant map of Southampton, which probably dates from the middle of the sixteenth century, West Quay is represented as almost square in form, and standing just in front of West Gate. In Speed's map, which was first published in 1596, the length is about twice the breadth; the lengthening of 1576 apparently was considerable. See *The Southampton Atlas*, Sheets II and III.

³ In Speed's *Theatre of Great Britain*, published in 1596, we find:—“Southampton has two very stately Keles for Ships' arriuage”; and Leland says: “Without West Gate there is a large quay for ships, as there is without the Water Gate,” the latter of which he describes as “a faire square quay forced with Piles into the Haven water.” Sir Henry Englefield remarks: “West Quay is small, but by the caution with which its gate was defended, has evidently been considered as of great consequence in former ages.”

⁴ The Fish Market in St. Michael's Square had a loft over it, which was used for various purposes: at one time, in 1457, part of it was let as the Cloth House; later, in 1525, the warden of the bakers hired it for twenty years. This market was not always held in St. Michael's Square, for we find an order issued in 1603 requiring it to be moved from the poultry market in the High Street, back to St. Michael's; a few years afterwards it was again held in the High Street.

⁵ The Friary or Convent of Friars Minors. Here butchers could rent stalls at the rate of 4/- per annum, but if a stall were taken for one day only, the price was one penny. At one time butchers were forbidden to sell meat by retail in their shops, but were ordered to take it to the market at the Friary.

A.D. 1570, 12 Eliz.—The Mayor and Burgesses having represented to the Queen's Councill the inconvenience of keeping the Market at St Laurence Church dore,¹ and that there was no Market House, there came an Order to remove the Market to the place where it is now kept, and to build a Market House.

A.D. 1698.—The Corporation built Butchers' Shambles at the Market House.

A.D. 1615.—It was order'd that the Fish Market be kept in the High Street above the Audit House, near the Bull Ring.²

The Markets were under very strict and usefull regulations,³ as will appear from the *Laws of the Gild* in the Appendix, and there are many entries in the Journals of Fines laid upon people for transgressing them, as for instance :—

26 Henry VII.—A man fyn'd for selling his herynge above the Market price.

Many regulatibns were made as to the sale of meat. The price was limited ; in 1549 not more than 1½d. per lb. was to be charged for good beef and veal, and 2d. for mutton. The hours of sale were also regulated ; in 1571 the market was to be closed at 1 p.m., or a fine of 3/4 was inflicted. Slaughter houses within the town walls were prohibited in 1579 ; and two wardens were appointed in 1593 to see that the general rules were carried out, and empowered to search the butchers' premises to ascertain if their meat was fit for consumption.

Judging from the numerous preementments in the Court Leet Books as to the iniquities of the butchers, the office of warden was a very necessary one ; e.g., in 1550 complaint was made that " Wm Feverell and the other houchers at the Fryere's Gate do caste owte theire oxe heddys to theire doges in the Strete to the auoyance of the King's people," and in 1569 that Houndwell Conduit had been polluted by the butchers " washing or dressing ye Inwardes of beaste " there. Cruelty to animals was unnoticed ; the barbarous sport of bull-baiting was encouraged, as, apart from the amusement provided by it, the idea prevailed that the meat was thereby made more wholesome ; butchers were fined for killing bulls which had not been baited, and although they were presented for beating their calves or pricking them so as to make the flesh swell, they were punished, not on account of the cruelty, but because such veal was considered unwholesome and likely to cause infection.

1 In front of St. Lawrence Church was a cross known as St. Lawrence Cross ; it was around this that the market was held. As there was no covering, the towns people in 1570 complained to the Corporation of the injury to themselves and their goods caused by rain and storm, " which often happened on market days." It was therefore decided to build a convenient market house at the south end of the Audit House, which in these days stood in the middle of the High Street, on the old site of Holy Rood Church. This is the place to which Dr. Speed refers, for the market remained here till the building of the present Audit House in 1773, when proclamation was made that all markets, except that for the sale of corn, were to be removed to the new situation. On each occasion of changing the site the inhabitants seem to have objected ; in 1774 there was so much discontent openly expressed, that the Corporation considered the advisability of applying for an Act to establish and regulate the new market ; however, public proclamation seems to have been sufficient to reconcile the malcontents to the alteration.

2 The Bull Ring was in the upper part of the High Street, not far from All Saints' Church.

3 Among these strict and useful regulations are to be noted the following :—

That no one shall buy anything in the town of Southampton to sell again in the same town except he be a Guildeman.

That no butcher or cook sell other than nice looking and clean food under penalty of being put in the pillory for one hour.

That no butcher or cook throw any filth or other matter into the street.

That no one shall go out to meet a ship which is bringing wine or other merchandise, in order to buy, before the ship has come to anchor for unloading.

That no one shall sell fresh fish in the market or street, except the man who has caught it in the sea, or bought it beyond Calshot.

That no one shall sell bread, except the man who has brought it in a cart to sell. (The object of this law was to trace easily any baker who sold bad bread.)

15 Henry VIII.—Dyvers Fyshermen fyn'd for selling there Fyshe before Mast^r Meyre had geven them there price.¹ Fyne 20^s. More such entries appear.

The price of Wine allso was limited as follows:—1629 and 1634, Gascoign Wine 6d. the Quart, Sack 12d., Malaga and Canary 14d.

CHAPTER IX.—PAVEMENT OF THE STREETS.

The earliest Acc^t of the Streets of this Town being pav'd is 17 Edward IV,² when the following Act of Parliament was pass'd for that purpose:—

“To the right wise and discrete Comons in this present Parlement assembled humble besechen unto youre Wisdoms the Maire, Shirrefs and Bailiffs of the Towne of Suthampton that where the said Towne is full febly pav'd, and full perilous and jeoperdous to ride or goo thereyn, and in especiall in the High Stretz of the said Town, that is to seie, froo' the Barre Gate to the Watergate and other ii Stretes³ there gretly occupied with Cariage and for faute of paving there, divers youre Lieges and other Straungers thider resorting have been often tymes gretly hurte and in perill of their Lives, and the seid Mair, Sherifs and Bailiffs have no Londes nor Tenementes, Rentes, nor other Yerly revenuz in Comon, whereby they may make and repare the pavements in the same Towne requisitez.

“Please it therefor youre seid Wisdoms, the Premisses to consider and to pray the King our Sovereign Lord to ordeyne and stablisshe by the advise and assent of the Lordes Spirituelz and Temperelx in this present Parlement assembled, and by the Auctorite of the same that every person and persons being seased

¹ These were violations of Law 77. “Salt herrings, hy whomsoever brought to the port of Southampton, shall be sold in every ship at the highest price at first, according as they intend to make their profit, so that after the first price is set, neither the master of the ship nor their owneers shall increase the price.”

² There are references to the paylog of the streets before the time of Edward IV. Richard II granted a pavage or toll in aid of paylog; in the Steward's Book of 1441 mention is made of paving stones being provided, and in 1457 the “pavyer” is ordered to be paid for paving the street before the seneschal's door.

³ “The other two streets” are probably French Street and Bugle Street, the latter of which would in these days be much frequented as leadlog towards the important West Quay.

or having fee Symple,¹ fee Tail or terme of Life eny Messes, Burgages or other tenementes withyn any of the Stretes of the said Towne by resonable premunition to them or to thenhabitants or Occupiers of the same by the seid Maire, Sherifs and Bailiffs of the said Towne for the time being to be made, make as ofte as shall be nedefull hereafter sufficient Pavement afore all their Meses,² Burgages,³ and Tenementz at their own Costs and Charges from their seid Meses, Burges and Tenementz as extendith to the middes of eny of the seid Stretes.

“And if eny of the seid persone or persones after the seid premunition made to them or to any of them, make not the seid Pavement sufficiently within a Quarter of a Yere next after such Premunition to them made, that then the seid Maire, Shiref and Bailiffes of the seid Towne for the Tyme being have full power and Auctorite to make the said Pavement in the form aforesaid, and that it be leifull to the seid Maire, Shiref and Bailiffs to take a sufficient distresse upon and in every of the seid Meses, Burgages and Tenementz, and the Goods and Catalls of every Inhabitant or Occupier of the same Meses, Burgages and Tenementz founden in any of the same to the value of the Costes and expences of the seid Pavyng so by the seid Maire, Shireff and Bailiffs made in any one of the seid Stretes, and the seid Distres so taken preize and selle thereof to take up the Costes and expences by them so doon and made, and the Surplusage of the pris thereof, if any be, to deliver to the owner of the seid Goodes and Catelles soo taken and preis'd and that every persone or persones having any Rent in fee simple or fee Tail or terme of Life going oute of the seid Meses, Burgages or Tenementz withyn eny of the seid stretes of the seid Towne be contributours to the Costes and expenses of the seid Pavement to be made before the seid Meses, Burgages and Tenementz, whereof the said Rent is going oute after the quantity and rate of the yerly value of the said Rent, and if the goodes of eny other persone then of his that ows to make suche Pavement or to be contributorie to the same as is aforesaid be distreyned for defaute of making of the seid Pavement, that then by the Auctorite aforesaid it be leifull to hym or them so distreyned to

¹ Fee-simple means the entire and absolute possession of land, with power to allanate it by gift or will. Fee-tail or entail is the settlement of any estate by which the property is limited by such particular restrictions as the donor may specify.

² Meses—messuages, dwelling houses with the land belonging to them.

³ Burgages—property held by “burgage,” a system of tenure by which citizens held their lands and tenements in boroughs.

receive and kepe the Rent of the seid Meses, Burgages and Tenementz agenst hym or them so defectif in making of the seid Pavement and their Heirs and Assigns, till by retheyning of the same Rent or otherwyse he or they so distreyned be content and agreed for so moche as he or they so distrained were charged in defaute of none making of the said Pavement. And if he or they haveyng such Rent going oute of eny Mese, Burgage or Tenementz do not paie the Some of such contribution within xv daies after the seid Pavement made in maner and forme aforeseid, then it be leifull to the Tenauntez and occupiers of the same Meses, Burgages and Tenementz, their Heirs or executors to retheyne the Rent soo going oute of the seid Meses, Burgages and Tenementz till by the retheyning of the same Rent or otherwyse he or they so distreyned be content and agreed of as moche as he or they so distreyned were charged in defaute of none payment of the seid contribution. And that every persone or persones so distreyned, his Heirs or Executors may by the seid Auctorite have at his or their election ayenst him or them in whos defaute he or they shall be distreyned, his Heirs and executors, an Action of Dette upon this Acte in the Courte of the seid Towne in which Action like processe, Jugement and Execution be had or made as in other Actions of Dette there usuelly sued ben hade or els at the comon Lawe to be sued, in which Action suche Processe, Jugement and Execution be hade as in other Actions sued at the Comon Law is us'd.

“Soit fait come il est desire.¹”

By virtue of the above Act they went on very well² near three hundred years, but in year 1769 some few strangers who had a very few years before come to live in the Town, being seiz'd with the Epidemical Madness of New Paving, set on foot such

¹ “Soit fait come il est desire,”—the usual formula when petitions made to Parliament were granted by the King.

² The evidence of the Court Leet Records does not bear out this statement. Many presentments were made which show that the burgesses tried to escape from their responsibility in the matter of paving, *e.g.*, in 1550, “We present that the streats of the towne be greatly in decay in Divers placis for lack of pavinge, wherfor yt ys comanded to all the inhabitants, theye and everye of them do pave the streats agaynst theire houses by the feast of All Sayncts next ensuyinge.”

Sometimes there appears to have been some excuse for neglecting this duty, for in 1569 the inhabitants complained that the price of paving stones had risen from 4d. to 8d. a load, to which the cost of carriage, 4d. a load, had to be added; this was a “greate gryffe” to them, and they desired “ynur worships that you wold consider of yt.”

In 1571 the churchwardens of St. Lawrence were commanded to pave the street before their church, and the inhabitants of St. Michael's parish were ordered to “pave their doores.” In 1573 a similar command was laid upon the residents in Above Bar Street, a very necessary injunction, as the street was full of holes.

a scheme in this Town,¹ and having drawn in some of the Corporation to join with them, they by much sinister management, the particulars of which wou'd stain my Paper, so far impos'd upon the House of Commons that a new Act was pass'd for that purpose. By this new Act the whole Common Council of the Corporation are indeed to be allways Commissioners,² but then there are to be allways Five and Twenty Commissioners distinct from the Corporation, a greater number than the acting part of the Common Council of the Corporation usually amounts to, and these five and twenty are directed to be allways kept full, and the number of the Corporation, as a fluctuating Body, must be allways uncertain, they will, upon any difference of opinion, be allways out voted, tho' the whole Corporation should be of one mind. Besides which, this new Act takes in so many Articles of the Police and Government of the Town, and even of the Corporation's Property, all which are vested in them by their Charter; so that by promoting and consenting to this Act they have made themselves meer Cyphers, and have nothing more to do but to lend the sanction of their Authority, as Justices of the Peace, for the execution of the Orders of the other five and twenty Commissioners, even tho' they shou'd disapprove of those Orders themselves. To all this must be added the greivous and intolerable burthen of expence that is laid upon the Inhabitants by this new Act, they being to raise £5000 for the first Cost of the new Pavement, and £350 for Lamps, Watch-houses, &c., and six hundred Pounds a year for ever for the maintenance of those Articles, and the Watch, Officers, Salaries, &c., besides innumerable Penalties upon every trifling occasion. And for all this there is no fund, no Toll, propos'd, but it is to be done by downright dry Taxation; and the Commissioners have power by the Act to set an arbitrary value on the Rents of Houses at their own Discretion, in order to the making a Rate. The execution of this new Act is yet, A.D. 1770, but in Embrio; what the consequence of it will be, time must shew.

1 For a fuller account of this scheme and Dr. Speed's opinion of it, see Introduction.

2 Here occurs another of Dr. Speed's marginal notes:—"But notwithstanding this, their Authority as members of the Corporation is annihilated, as to all the Articles contained in this Act, for they do not act now in their Corporation Capacity, but merely as Commissioners under the New Act of Parliament in those Articles."

CHAPTER X.—THE BOROUGH CHARTERS.

Chapter X, by far the longest in the book, contains the Borough Charters, some of which are given in full and some in a condensed form, with short explanatory notes. As the first part of these Charters has been edited by Mr. H.W. Gidden, M.A., and published by the Southampton Record Society, and the remainder will form another volume of the Society's publications, only a brief notice of their contents is here given.

The first charter, given by Henry II, ordains that the "men of Hanton shall have and hold their guild and all their liberties and customs in as good, peaceable, just and honourable a manner as in the time of King Henry I."

Richard II granted freedom from "Toll, Passage and Pontage money," and all mercantile customs.

The oldest extant charter is that of 1199, in which John confirmed the above grant. "Three days after he granted them (the Burgesses) the Town to hold to farm for ever."

Henry III freed the town from the power of the Cinque Ports, the barons of which were enjoined not to do the burgesses "any injury contrary to their Liberties," or the penalty upon them and their goods would be levied "with severity."

In 1256, Henry III also granted freedom from arrest for any debt for which the burgesses were not sureties or principal debtors, and in the same year gave another charter allowing a town court, and forbidding the sheriffs of the county to interfere with it.

Edward II confirmed previous charters, and added freedom from murage and pavage for their goods in all parts of the Kingdom.

Edward III confirmed privileges previously granted, and added that burgesses were not to be sued or sue out of the Borough. Freedom from quayage in all parts of the kingdom was also obtained by this charter.

Former charters were confirmed by Richard II and by Henry IV, who granted also various new privileges, such as the confirmation of the Court Leet, the assize of bread and beer, etc., "for the improvement of the said town, it being evidently situated in the Front of our enemies and to encourage our

Subjects the more eagerly to resort to and come to inhabit the s^d Town."

Henry V confirmed the preceding charter, adding that the burgesses should not lose their privileges for want of using them. This same charter also received the confirmation of Henry VI.

The next charter was also granted by Henry VI. It declares that the Town was so much exposed to the attacks of foreign enemies and put to such expense in keeping up the fortifications, that without the assistance of the King's favour, many of the inhabitants would be obliged to leave. In consideration of which hardships, he grants that the town "be for ever incorporated of one Mayor, two bailiffs and burgesses, to be one community perpetual, incorporate in word and deed."

The same king created the county, because "the Merchants and Mariners resorting to the Town were greatly incommoded by the Sheriff of the County serving Writs, etc., upon them." The town was to be "one entire County incorporated in word and deed, and shall be called 'our County of the Town of Southampton.'"

In the 30th year of Henry VI's reign, another charter was given confirming those previously granted. The new privileges granted by the several charters of this King are very many, and completed the constitution of the Corporation.

Edward IV confirmed former charters, and in consideration of the expenses incurred in the defence of the town, and the fact that it had shown loyalty to his predecessors and "particularly lately to ourselves," gave some additional privileges.

Further confirmations of these charters were made in 1468 and 1480 by Edward IV ; in 1484 by Richard III ; by Henry VII (no date given) ; by Henry VIII in 1510 and 1514.

Edward VI regulated and limited the payment of the fee-farm in proportion to the amount of the petty customs.

Philip and Mary confirmed the charters (but in what year is not known) ; as did also Elizabeth and James I in 1616.

The last governing charter was granted by Charles I, and is of great length ; in the preamble to it, it is stated that "the Mayor, etc., had petitioned the King to confirm their Rights and Privileges, with such alterations and additions as to his Majesty should seem proper." The privileges granted by the Incorporation Charter of Henry VI and by subsequent charters are recapitulated, and a few new ones are added.

After the Restoration the question of renewing this charter or of obtaining a fresh one was raised, but before the matter was settled, Charles II died. In the reign of James II a new charter was prepared, but nothing further was done; and again in 1723 a petition for a new one was drawn up, which also resulted in no action being taken; so that Charles I's charter continued in force till the passing of the Municipal Corporations Act in 1835.

CHAPTER XI.

CONTAINING SOME ARTICLES AND OBSERVATIONS WHICH COU'D NOT BE INSERTED IN THEIR PROPER PLACES WITHOUT INTERRUPTING THE COURSE OF THE CHARTERS.

OF THE MAYOR.

The uncertainty of the time when this Town first had a Mayor is observ'd above¹; it appears by the Laws of the Gild that they had none when those Laws were made (see Law 32).² There is one part of the Ceremony relating to the Election of the Mayor which is founded wholly upon custom, being mention'd in no Charter.³ It is called the Private Nomination. The form of it

¹ The reference given here is to be found in the Chapter on Charters and runs thus :—"It is something remarkable that no Charter granted to the Town before this last rectified one (*i.e.*, 2 Henry IV) makes any mention of a Mayor; tho' it is very clear that they had mayors long before. The agreement between the City of New Sarum and the Town of Southampton, which is dated 2 Edward III, mentions the 'Mayor of Suthampton,' and 2 Edward III, the Mayor, etc., of Southampton sued the men of Lymington for Petty Customs. A charter of protection of the Friars Minors, 5 Richard II, mentions the Mayor; and the List of Mayors hereafter mentioned (see Appendix K), which is taken from the Corporation's Books, goes as high as 15 Richard II."

² Law 32 ordered that on the morrow of St. Michael, there should be elected by the whole community twelve discreets to execute the king's commands, to keep peace and execute justice; that these twelve discreets should choose on the same day two discreets from among themselves "and the other profitable and knowing men" to be bailiffs for the ensuing year. There is no mention of any official higher than what is called "the alderman," or "the chief alderman," who evidently in those days corresponded to the "mayor" of later times. That the office was in existence early in the thirteenth century is proved by a mention of "The mayor and men of Southampton" in a letter issued to Peter des Roches, Bishop of Winchester, and Hubert de Burgh, Justiciar, which is dated 1217. In the most authentic list of mayors the first name given is Benedict, the son of Azon, who held office from 1237-1248, and it is interesting to notice that immediately after Benedict went out of office, Henry III granted the burgesses a patent as follows :—"The King to all, &c., &c., greeting. Know ye that we have granted to our Burgesses of Southampton, both to them and to their heirs for ever, that they shall not have a mayor in our aforesaid town of Southampton. Westminster. October, 1249." However, in 1270 the office was filled by Simon de la Bolehuge.

³ The Charter of Incorporation, 23 Henry VI, orders the election of mayor to take place on the Friday before St. Matthew's Day, and in a patent of 1460 the method of election is set forth, possibly on

is this: On the Friday before the Feast of St. Bartholomew the Mayor and Aldermen meet and put two Aldermen and two junior Burgesses upon Nomination for Mayor, and on the morning of the day of Election the same persons meet again and strike off two of those four; the remaining two are propos'd to all the Burgesses for one of them to be elected Mayor by Balloting.

Of what antiquity this Private Nomination is I cannot find; the Proceedings of it are enroll'd. It is mention'd in the Mayor's Acc^{ts} as a thing of course (29 Eliz. or A.D. 1587), and I have seen the Rolls of it as far back as A.D. 1615; notwithstanding which it appears by the Journal that A.D. 1617, two of the Burgesses, at the Election of the Mayor, openly in the Town Hall oppos'd the ancient Custom of the Private Nomination; but being call'd before the Common Council for the same, they submitted. A.D. 1724 the Burgesses again oppos'd it, when Chief Justice Eyre, who had been Recorder of the Town twenty years, and had quitted that office the year before, was present, and declar'd that the custom was good in Law, and that it ought to be kept up.

When any Burgess is put upon Election for Mayor he is continued three years if not chosen before the expiration of that time; and after being rejected three times he is laid by till his turn comes round again. The chief Officers having a casting vote¹ in case of an equality of other Votes, has often been a matter of contention in all Societies. The charter of this Town directs that in the Election of a Recorder, the Mayor's Vote, if there be an equality, shall go for two votes, which plainly means that the person for whom he gives his first Vote shall be chose, not that he shall vote twice. But 29 Eliz., A.D. 1596, the following entry appears in the Journal: "Mem^m that at this Election day of the Mayor and Officers the Bur-

account of a regrettable incident which had taken place at the election of that year. The outgoing mayor, Richard Gryme, in accordance with ancient custom, had submitted the names of Nicholas Holmehegge and Walter Fetplace to the assembly, for election. But, instigated by the Sheriff, Roger Bagworth, a crowd of riotous persons armed with daggers rushed to the Guildhall, and by threats so intimidated the assembly that neither of the two candidates was chosen, but the Sheriff himself was placed in the mayor's seat, and his party was strong enough to make good his election. This patent ordered that the outgoing mayor should nominate two burgesees, in a meeting of balliffs and burgessee held at the Guildhall, and that one of these must be elected.

This "Private Nomination" described by Dr. Speed shows that the method of election was sometimes varied, but one or the other was followed until the Municipal Corporations Reform Act of 1835 came into force.

1 Dr. Speed has a note in the margin here, as follows:—"In a collection of the Corporation Laws in my hands, taken from the Books, it is said—The Mayor shall have the 1st voice of all elections and in all other things that toucheth the towne, and also the last voice."

gesses' Ballets both white and red fell out even, viz., 20 for Mr. Beiston and 20 for Mr. Jefferies; by means whereof the choice of the Mayor was in the discretion of Mr. Wallop, the old Mayor (he having by auncient Custom a casting Vote in all Elections), who made choice of Mr. Beiston, being an auncient Alderman, and auncient in Election."

The Perquisites of the Mayor's Office¹ are very small, depending chiefly on the will of the Common Council, who have sometimes order'd a sum of money for the Mayor's Table, never exceeding £50, generally much less. At other times they have order'd some Articles of the publick money of the Corporation to be given to the Mayor, w^{ch} last is continued still, but it amounts to no great matter.

The Mayor has likewise the liberty of making one Burgess in his year,² and that Burges's fine for admission is the Mayor's Perquisite, but all these things depend on the Will of the Burgesses, who have frequently alter'd them. The Mayor has besides some Port Dues,³ but they are trifling.

Tho' the Form of deposing the Mayor be directed by the Charter,⁴ yet there is no instance of it's being done by the Corpo-

¹ In former times Mayors, like Members of Parliament, were paid for their services; in 1481 the Mayor was allowed £10, and in 1506 it was ordered that the payment should be £10 a year, provided "he handled none of the Town's money." In 1638 we find that the Mayor was to be allowed £20 yearly for "his kitchen," and no additional sum was to be granted him "for the extraordinary entertainment of great men coming to the town." There are several other curious entries in the Journals concerning the Mayor's perquisites, *e.g.*, in 1715 he was allowed two quart bottles of wine on every audit day for himself and those that attend. 1718.—Half of the fines of the Court Leet were given to the late Mayor, and all the "Tipp money" (*i.e.*, money paid for licences to keep alehouses, or for "Tippling") was to be given to all succeeding Mayors. 1723.—It was ordered that Mr. Roger Andrews, who had been chosen Mayor for the rest of the year upon the death of Mr. Cornelius, should have the £20, and the executors of Mr. Cornelius all the "Tipp money." In 1726 the £20 was taken off because the Corporation was in debt. In 1728 the Mayors were forbidden to expend more than 40/- on the Corporation's account, without a special order of the house, and this was to be entered in the Journal.

² Many instances could be cited to show that the Mayors frequently availed themselves of this privilege. In 1501 William Justice was allowed to create a burgess, in order to cancel a debt of £10 which the town owed him.

The money paid by persons for the privilege of burgess-ship was not always the Mayor's perquisite. In 1615 the Mayor desired that a Mr. John Hersent might be made Mayor's Burgess. This was not allowed, on the ground that £20 had been offered for the privilege. Hersent persisted in his claim, and finally it was settled that he should be admitted for such a fine as the Corporation should demand, but the money was to go to them and not to the Mayor.

In 1618 it was ordered that the Mayor should have £50, but make no burgesses; in 1623 this allowance was reduced to £30.

³ Since Dr. Speed wrote thus more changes have been made. In 1802 the dues were commuted for twenty-five guineas; and in 1830, when there was a general want of money, all the Mayor's perquisites were taken from him, and they have never been restored. A curious bequest was made by Andrew Meares, about 1653; when the Mayor is elected he receives £5 worth of ancient coins, "so that he may always have money in his pocket." The coins, however, are kept, not in the Mayor's pocket, but in the Audit House.

⁴ The charter referred to is 16 Car. 1, where it is directed that the Recorder, Aldermen, and the rest of the Common Council, or the majority of them, "according to their sound discretion and whenever they shall think it necessary," shall depose the Mayor for bad government, misbehaviour, or any reasonable cause.

ration without the intervention of superior Power ; the 2 Edw. IV, a Mayor was depos'd by the King's Mandamus. But since the Charter of Carol. I the only instances are that, A.D. 1655,¹ W^m Higgins, Mayor, and some others were expell'd the Corporation by order of Cromwell and his Council ; and 1659 the Mayor (Nichl^s Clement) was depos'd by order of his Highness (Cromwell).

The Fine for refusing to serve the Office of Mayor has usually been £100, as appears by many Entries in the Journals, w^{ch} has been commonly given to the person chose in the place of the recusant. A.D. 1643 Rich^d Cornelius for £100 was excus'd from ever serving the Office of Mayor or any other Office, but still kept his place in the Corporation.

THE MAYOR'S OATH.

“ You shall well and truely serve the King our Sovereign Lord and his Heirs and Successors, in the Office of the Mayoraltie of this Town, and the same Town shall surely guide and keep, to the behalfe of our Sovereign Lord the King, his Heirs and Successors, and the King's Profit shall doe and maintaine that belongeth unto you, and the Right of our s^d Soveraigne Lord and all that to the Crowne appertaineth in the s^d Towne you shall lawfully keepe and save, you shall not assent to any hurte or concealment against the Town, but all good Orders of the s^d Town to the uttermost of your Power you shall maintain. And where you know any of the King's Right, be it in Lands, in Rents, in Franchises, or in Suits, concealed or withdrawn, you shall cause it to be revealed. And if you cannot do it, you shall shew it to the K^s Majesty, or them of his most honourable Council, the w^{ch} shall certainly shew it to our s^d Soveraign Lord. And that lawfully and rightly you shall intreat the K^s liege

¹ Apparently the authorities of Southampton were not regarded very favourably by the Government at this time, for they had not displayd much devotion in the Parliamentary cause. In 1652, orders were sent to the mayor to impress 300 scamen ; only twenty-one, however, could be found, the excuse being that, owing to lack of trade, very few ships came to the port. Again, in 1654, ill-feeling against the Government was aroused by the action of a certain Captain Tubbs, who had arrived in the town with his company from Portsmouth. He had demanded the keys of the town, and when some delay in giving them up occurred, he made the Mayor and Corporation prisoners in their own Council chamber until the keys were forthcoming. An indignant protest was sent to the Protector, complaining not only of this but of other actions “unhandsomely committed.” As a result, we read that “His Highness and the Council having taken into consideration the miscarriage and misdemeanours of William Higgins, mayor of the town of Southampton, William Stanley alderman and Edward Downer late high sheriff, appearing by several examinations, have resolved on their deposition.” In accordance with this order, three other persons were elected to fill the offices thus made vacant. However, there is an entry in the Journal, of Aug. 20th, 1662, to the effect that the said William Higgins, William Stanley and Edward Downer were restored by the order of his Majesty's Commissioners to their respective burgess-ships, “to have and to hold the same in as full and ample manner as if the above written order had not been made.”

people within your Liberties, and that you shall do right to all men, as well to Strangers as to English men, to poor and to rich, in that belongeth to you for to do.

“And that neither for Riches, for Reward, for Gift, for Promise, for Favour, ne for Hatred, you shall no wrong do to any man, nor none shall suffer to be done, as farr as you may or to your Power. And that you shall put good Guard and Rule upon the Assise of Bread and Wine, Ale and all other Victuals, Measures and Weights within the s^d Town, making due and ready search, and execution of all defaults, you shall all good and laudable Orders of this Town see to be observ’d and kept in all points.

“And this to follow accordingly, and all other things appending or appertaining unto the Mayor of the s^d Town to do or to be done, you shall well and truly do to the uttermost of your Power. So help you God by this Book.”

OF THE RECORDER.

We are as much at a Loss for the first institution of a Recorder as we were for that of a Mayor: it is probable that they allways had the assistance of a Lawyer in their Business, by whatever Title they call’d him; perhaps the same person executed the offices of Recorder and Town clerk before their Charters distinguish’d those Offices.

The *Legis peritus*¹ appointed in a judicial capacity by the Charter 1 Edward IV was certainly a Recorder in the same sense as we now use it, tho’ not call’d by that name; but the Office appears by that Charter to have been annual: and tho’ the name of Recorder be not mention’d in that Charter,² yet it was known in the Corporation Books before, for in one of them it is said that (23 Henry VI) John Ingoldesby was Recordator, but perhaps this was no more than keeper of the Journals. Tho’ the Deposition or removal of the Recorder be suppos’d and imply’d in the Charter, yet the manner of doing it is not

¹ *Legis peritus* (person skilled in the law). The passage in the charter of Edward I referred to is as follows: —“The Mayor of the said Town for the time being and some Person skill’d in the Law, and four Aldermen of the said Town, and four other Burgesses of the more honest and discreet persons among the Burgesses shall for the future forever, either altogether or each of them separately, be the Keepers of the Peace.”

² The word “Recorder” does not occur in the charters before the last governing charter of 16 Charles I (though it is to be found frequently in the town books), where it is ordered that the mayor “shall from time to time for ever have in the said town one fit and discreet person learned in the Laws of England, who may and shall be Recorder of the s^d Town, to be continued in that Office as long as he shall behave himself well in it.”

directed ; however, it has been done, for A.D. 1651, Mr. Hildesley wrote to the Corporation to choose a new Recorder, which being communicated to Mr. Levingston, the then Recorder, he agreed to it, and John Lisle, Lord Commissioner, was chose ; but A.D. 1658, Mr. Levingston bro^t a writ of restitution from the upper Bench, and the next year he was restor'd in obedience to that Writ, and John Lisle quitted.

A.D. 1703.—The Recordership was declar'd void by the absence of Rog^r Monpesson, Esq^t, and his not attending the Town's business.

The Recorder was formerly expected to reside in the Town, and Mr. Penruddoke sign'd a promise in the Journal allways to reside here in the Vacation.

A.D. 1649.—It was order'd that the Recorder shou'd be allowed £20 a year for his House Rent, so long as he shou'd live in the Town.

A.D. 1680.—It was determin'd that the Recorder's Fee shou'd be £5 a year.

But there are frequent instances mention'd in the Journals of Presents of Wine being made to the Recorders, on account of their trouble in attending the Law Suits of the Town. They formerly had constantly a New Year's Gift sent them of Sugar, Spice, Wine or Olives.

THE OATH OF THE RECORDER.

“ You shall be faithfull and true unto our Sovereign Lord the King of Engl^d and his Heirs, Kings and Queens of England ; you shall minister Common Right after the Common Law of England, and the laudable customs of this Town, to every person that shall duely require the same, as well to poor as to rich ; you shall allso true Counsel give unto the Mayor and his Brethren to your power, and their Counsel you shall well and truely keep, and not to be absent from them at such places and times as you shou'd personally give your Attendance, without the Licence of the Mayor, or that you be otherwise reasonably occasion'd. And as well all these things as all other things that to your Office of Recorder of this Town shall or doth belong as near as you can, you shall truely do and execute.

“ So help you God.”

LIST OF RECORDERS.¹

23 Henry VI, John Ingoldesby	32 Car. II, Rog ^t . Gollop, Esq ^r . ³
2 Elizabeth, James Brande, Esq ^r .	33 „ Giles Eyre, Esq ^r , of Brickworth
12 „ Mr. Hooper	2 William III, John Wyndham, Esq ^r .
14 „ John Penruddoke, Esq ^r . ²	8 „ Thos. Wyndham, Esq ^r .
6 Jacob. I, Rob ^t Brocke, Esq ^r .	10 „ Rog ^r . Monpesson, Esq ^r .
9 „ Thos. Cheeke, Esq ^r .	3 Ann, Rob ^t Eyre, Esq ^r , after Ch. Just.
15 „ Hen. Sherfield, Esq ^r .	9 George I, Rob ^t Eyre, Esq ^r , son of the former, on his Fath ^r 's resignation
9 Car. I, Rob ^t Mason, Esq ^r , Recorder of Winton, soon after of London	George II, W ^m Eyre, Esq ^r , on the resignation of the former
10 „ Thos. Levingston, Esq ^r .	George III, Cranley Kerby, Esq ^r .
1651, John Lisle, Lord Com- missioner	
1659, Thos. Levingston restor'd	

These are all that I have met with.

OF THE TOWN CLERK.

The Town Clerk is an Officer of that kind that the Corporation cou'd never be without somebody to do that Business; perhaps he is the person call'd Usher in the Laws of the Gild (see Law 1).⁴

There is little said of the Town Clerk in the ancient Books of

¹ This list is not complete. Between the names of Ingoldesby and Brande should be inserted those of Richard Palshid, who held the office in 1507, and John Mille, in 1547 (this was probably the John Mille or Myless who made a hole in the town wall for the purpose of admitting a cart laden with chalk into his garden); also Thomas Mylle, 1553.

² Thos. Fleming succeeded John Penruddocks in 1601, and was followed by Robt. Brock.

³ 32 Car. II.—Roger Gollop was elected Recorder in 1662 and remained in office until his death in 1681; he was also one of the M.P.'s in 1658. When Charles II visited Southampton in 1669 he was met at the Bargate by the Mayor and Corporation; Roger Gollop made a speech on his knee, to which, we are told, "his Majesty gave good attention," after which a purse of 150 guineas was presented.

The Gollops appear to have been a very important family in the town during the seventeenth century; their names frequently occur in the lists of public officers.

⁴ The first Gild Law orders that "there shall be elected and establish'd as chiefs of the Gilde, one Alderman, one Chaplain, one Steward, and IV Eschevins, and one Usher; and he it knowe that the Alderman is to have of everyone who is admitted a member of the Gilde 4d., the Steward 2d., the Chaplain 2d. and the Usher 1d."

To this Dr. Spaed adds a foot note, as follows:—"The Eschevins here mention'd were a kind of officers, which are out of date with us now, tho' the word is still us'd in French for a Sheriff,—their business was to take care of the markets, etc., like the Roman *Ædiles*; there is something like it still at Paris, which is the Officer next in Authority to the *Prevost de Marchanda*. Cotgraves' Dictionary, *Usser*, in modern French *huissier*, signifies an Usher or Doorkeeper; it signifies also a Messenger or Apparitor; perhaps it is used here in the latter sense."

the Town; but in one of them, A.D. 1570, he is call'd Clerk of the Records of the Town, which seems to be expressive of the nature of his Office, the Recorder being Keeper of the Records.

The few following Articles taken from the Journals, being all that I have met with, will serve to give some notion of the nature and Tenure of this Office¹:—

A.D. 1563.—The Town Clerk resign'd, and another was chosen immediately.

A.D. 1639.—Mr. Pittis was chosen Town Clerk, on condition that he pay £40 a year to the Town as long as he enjoys the place, and shall not go forth of the Town without the Mayor's Licence. Order'd likewise that the Town Clark be new chosen and new sworn every year.

A.D. 1646.—Notice given to the Town Clark to avoid his place, it being held only during pleasure.

A.D. 1654.—The Town Clark voted to be discharg'd for not attending in person upon the Duty of his Office; Notice given him Aug^t 10, to attend in person and to reside in Town by Sep^r 15.

A.D. 1657.—A Town Clark was chose without the Recorder's Presence, but with his consent.

These things which were done during the confusion of the Usurpation will not, perhaps, be look'd upon as good precedents. We come now to what pass'd after the Restoration.

A.D. 1662.—The Town Clark's Fee for one year was £4 : 7.

A.D. 1668.—Mr. Ferdinando Knapton was chose Town Clark on condition that he shou'd accept of such Terms as the Corporation wou'd offer him: when he heard the Terms he refus'd to accept them, and his Election was declar'd void. He bro^t a Mandamus for his Admission, but without effect.

A.D. 1673.—Mr. Pocock was desir'd to quit the Town Clark's place, because his other business took him off from his attendance on the Affairs of the Corporation.

A.D. 1699.—Order'd that Mr. W^m Pocock do shew cause why he shou'd not be remov'd from his Office for his non-attendance at the Town Courts, and for not entring the Records, and for setting the Mayor's name without his leave to the return of a Writ of Error. I do not find what the issue of this was.

¹ From the Stewards' Books, as well as the Journals, a few facts about the office of Town Clerk can be gleaned before 1563. In 1315 William Fowell was paid for professional assistance a bushel of wheat. In 1457 the wages of the Town Clerk were £5 per annum, to which was added a small sum for paper, parchment and ink. The holder of the office this year was also granted five yards of "musterdyvelyg" (a kind of mixed grey woollen cloth much used in the fourteenth and fifteenth centuries) for his gown.

A.D. 1699.—A letter was sent to Mr. Swanton, Clerk of Assise, asserting the Town's Right for their Town Clerk to officiate in the Commission of Oyer and Terminer¹ as Clerk, without the Clerk of Assise. This was probably a special Commission for the Town, w^{ch} was customary at that time; but now the Town is put into the Western Circuit, when they have any Assise Business, and one of the Judges comes hither, and of course brings the Clerk of Assise wth him.²

A.D. 1701.—Mr. Rich^d Beel was chose Town Clerk, and proposed to execute the Office gratis, only receiving the usual Perquisites and to collect the Rents, &c., without any certain reward, but to leave it to the discretion of the Corporation.

A.D. 1718.—Mr. Knapton being in a declining state of health and unable to attend the Business of the Corporation, Mr. John Godfrey (his Clerk) was admitted as his Deputy, and was sworn to keep the secrets of the Common Council.

A.D. 1729.—Mr. John Godfrey was chosen Town Clerk on Mr. Knapton's death, to have no Salary, nor to practice in the Town Court as an Attourney directly or indirectly. Mr. Godfrey grew very infirm the latter part of his time, and Mr. Sam^l Reade was admitted to be his Deputy on that Account.

A.D. 1767.—Mr. Cha^s Legay was chosen Town Clerk on Mr. Godfrey's death.

A.D. 1774.—Mr. W^m Damon chose Town Clerk on Mr. Legay's death.

The charter certainly makes no Provision for their having a Deputy Town Clerk, and some instances appear above of notice being given to Town Clerks that they shall be discharg'd if they do not attend in person, which cou'd not have been if they might have had Deputies. How far the indulgence of the Corporation can dispense wth the Charter in this point may be a matter of doubt.

¹ "Oyer and Terminer" is the name given to a commission granted by the crown to judges and others to hear and determine cases of treason, felony and trespass. By virtue of this commission judges deal with criminal cases in the various circuits. The words *oyer* and *terminer* are derived from the French, *ouïr* to hear, and *terminer* to determine.—*Dictionary of English History*.

² Marginal note.—"It appears by the Journal, A.D. 1725, that application was then made to have the town inserted in the Western Circuit for Assizes, and it has continued to be so ever since. They had Commissions of Gaol Delivery renewed A.D. 1608, 1614, 1617, 1618, 1712, which was the last, I believe."

Gaol delivery means the clearing a gaol of prisoners by bringing them to trial, especially at the Assizes.

THE OATH OF THE TOWN CLERK.

"You shall be faithfull and true to the King of England and his Heires, Kings and Queens of England, you shall see that true Records are kept and due Processes made between partie and partie, and true judgment in their Suits to be given, as nigh as you can in the Mayor and Bailiff's behalf. If ye be requir'd ye shall minister Common Right after the Common Law of England, and the laudable Customs of this Town, to every person that here will sue, as well poor as rich.

"And allso true Counsell you shall give to the Mayor and his Brethren to your power, and their Counsell shall well and truly keep. And not to be absent from them at such places and times without Licence of the Mayor, or otherwise reasonably occasion'd, as you shou'd usually give your attendance.

"And all other things that to your Office belongeth, as near as you can, you shall do.

"As God help you, &c."

OF THE BURGESSES.¹

The Charter gives so little direction relating to the Burgesses that most things relating to them depend upon practice and Bye Laws, or Orders in their Journal, and regard chiefly their Election and Disfranchisement.

And first of their Election.

The eldest son of a Burgess has a right to succeed his father. See Laws of the Gild, n^o 9,² where this is extended to the next Heir.

A.D. 1549.—2 Edward VI, An Order was made that no person, except such as have a Right to demand it or Gentlemen who are made for their pleasure (*i.e.*, honourary Burgesses), shall be made a Burgess under a Fine of £10.

A.D. 1609.—The Election of a Burgess³ put off because the

¹ Burgesses were originally the free resident householders. In the earliest versions of the Guild Laws, wherever the word "gildsman" occurs it has this meaning. In a version made in the reign of Charles I "burgess" is substituted for "gildsman."

² Law 9 is as follows:—"When any Member dies, his eldest Son or his next Heir ought to have the seat of his Father; or his Uncle, if his Father was not of the Gilde, but of no other Relation, and shall pay nothing for his Seat." Law 10 allowed other sons of gildsmen to be admitted on payment of 10/-.

³ Elections to burgess-ships were frequently made for special reasons, *e.g.*, in 1508 Harvey Hayward was allowed to become a burgess at a reduced rate because he could "help the town with ships and boats." In 1509 we read of a certain Richard Kene's being elected "because he is an honest man and good of name." A couple of barber-surgeons were admitted in 1543 on condition that at the command of the mayor they exercised their craft "without excess taking for the same"; while a "gentleman" was allowed to become a burgess in 1557 for the apparently inadequate reason that "he had married an alderman's wife."

House was not full, tho' he was approv'd by all that were present.

N.B.—It is nowhere determined what number is requir'd to make a House.

A.D. 1660.—A Fine of £20 set on every person that shall refuse to accept of a Burgessship when call'd upon.¹

A.D. 1689.—Thos. Bernard, Grocer, was fin'd £50 for refusing to be sworn a Burgess. This is out of use now; whether or no the power still subsists.

A.D. 1707.—Order'd that no person shall be sworn a Burgess untill such person shall first be propos'd to the Common Council, duly summon'd and assembled, and the whole Community be call'd on to give their consent; and any persons chosen contrary to this Order their Election to be deem'd null and void.

A.D. 1730.—The Charters being silent concerning the Election of Burgesses, it is order'd unanimously that only the Common Council have a Right to vote, and that every Burgess be propos'd at the Common Council six days at least before his Election, or his Election to be void. But a Nobleman may be sworn at a Common Council without such notice, if nine at least be present. This Order is observ'd still.

Disfranchisement, in it's largest sence, signifies being deprived of the Freedom of the Town, which was formerly attended to here with as much punctuality as it continues to be in the City of London; but at present it is understood to mean only being disburgess'd or expell'd the Corporation.²

A.D. 1559.—Two Burgesses were expell'd the Corporation for publishing a Protestation against the Meyre and Aldermen's taxing the Town, without calling the rest of the Burgesses.

N.B.—This was before the Common Council was appointed.

A.D. 1565.—A Burgess was disfranchis'd for saying that the Corporation made Laws against Reason and Conscience.

Another for colouring strangers' Goods. See Laws of the Gild, n^o 30.³

¹ It was found necessary to fine men for refusing to become burgesses, because about the middle of the seventeenth century, two offices could scarcely be filled for lack of them. The Court Leet had called attention to this fact in 1652, complaining that the number of their own jury could not be made complete, and praying that those unwilling to be made burgesses should be fined. In 1660 all resident householders whom the Mayor and Common Council should nominate must accept the position of burgess, under a penalty of £20. Later the fine was increased.

² Expulsions were frequent and the causes of them various. In 1495 a burgess was expelled for an attack on another burgess whom "he did strike with his fist."

³ Law 30 reads as follows:—"None of the Town shall, under the pretence of buying, or under any other kind of pretence, sell the goods of a Merchant stranger by which they would be sold for more than the Merchant could have sold them himself, and so the Townsmen would lose their Profit, but the Merchants who bring the goods for sale shall sell them themselves; and if it be prov'd that anyone does this, if he be of the Franchise, he shall lose his Franchise till he has made satisfaction to the Town for his offence."

A.D. 1570.—A Burgess was disfranchis'd for calling another Burgess knave. See Laws of the Gild, n^o 15.¹

A.D. 1574.—Gylles Sharpe was disfranchis'd. See Chap. X.²

A.D. 1602.—Andrew Studley,³ Alderman, was turn'd out of the Corporation, but not out of his Freedom of the Town. The Articles ag^t him were falsifying the Corporation's Books of Acc^{ts} in various instances for his own advantage, embezzeling the public money, and taking a Bribe to procure a Lease at a small Fine.

A.D. 1610.—Hen. Capelin was disburgess'd for refusing to pay £4 Banquet money at his Admission.

N.B.—He afterwards paid it and was admitted.

The Custom for every Burgess to give a Treat upon his being sworn was kept up till within these few years, but, I think, it is now quite left off.

A.D. 1659.—Several Burgesses were expell'd by Cromwell, who in 1662 were restor'd by the Commissioners for regulating Corporations, and some others were then expell'd. Of these last James Capelin was the cheif⁴; but as these were not Acts of the Corporation, they are not to be plac'd to their Account.

A.D. 1662.—A Burgess was disfranchis'd for entering strangers' Goods at the Custom House in his own name.⁵ He bro^t a Writ of Mandamus to be re-admitted, but the Writ was return'd *re infecta*. At length he agreed to a Reference, and in 1681 notice was given to the Collector of the Customs that he still continued disfranchis'd; that the Collector might recover the Arrears of Prisage that were due from him.

A.D. 1676.—Tho^s Farr, Alderman, was excluded from the Common Council for embezzeling the Corporation's Effects when he was Mayor.

Expulsions have not been practis'd for many years back.⁶

¹ Law 15 :—"If any member of the Gilde revile or asperse another, of which complaint he made to the Alderman, and he be reasonably attaint thereof, he shall pay 2s., and if he cannot pay it he shall loose his Gildeship."

² The passage referred to in Chap. X reads thus :—"26 Elizabeth. The Town was served with a Writt of Quo Warranto for non-payment of the Queen's Butlerage, commonly call'd Prisage, and Gylles Sharpe, by whose neglect this omission had happen'd, was disfranchis'd for it."

³ Judging by other accounts of Andrew Studley's misdemeanours, he would not have been too heavily punished if he had lost the freedom of the town as well. He burnt the Deputy Steward's account booke, carried money out of the Audit House without the Mayor's consent, and "took vietualls and other things by his authority without paying for them."

⁴ A full account of this is to be found in Appendix F.

⁵ A note is written in the margin here :—"Perhaps this is what is meant above A^o 1665 by colouring Strangers' Goode, rather than the circumstance mention'd in the Laws of the Gild."

⁶ A quaint reason for expulsion is to be found in an entry dated 1616 :—"Ordered that Mr. Toldervey, Alderman, be suspended from the Society if he do not keep his wife (who, it seems, was crazy) at home."

OTHER ORDERS CONCERNING BURGESSES.

A.D. 1559.—Order'd that all the Burgess from the Sheriff inclusively upwards shall wear Scarlet Gowns on certain days, under the Penalty of £10. The Aldermen's Wyffes are allso order'd to wear Scarlet on the same days, under the same Penalty.¹

A.D. 1588.—The fine for not having a Scarlet Gown was set at £5; for not wearing it at 10/-.

A.D. 1593.—A Sheriff was fin'd for not wearing Scarlet on Easter Day, but was forgiven on his submission.

A.D. 1616.—Mr. Geo. Gollop² having been Sheriff, was fin'd £10 for not having a Scarlet Gown, and others were admonish'd to provide them. Half this Fine was remitted, the other half was paid.

A.D. 1613.—Order'd that the Burgesses and their Wives shall be plac'd in all publick Assemblies and Churches, according to their Degrees, by one of the Serg^{ts} appointed to that office.

A.D. 1637.—Order'd that the Burgesses shall attend Mr. Mayor on all days of meeting or upon summons on pain of 12d. The days of Assembly are the Friday before St. Matthew's Day, Michaelmas day, the Friday after Michaelmas day and Saturday following, Christmas day, Easter day, Trinity Eve, Quart Sessions, Goal Delivery, and at the coming of the King.

THE BURGESSES' OATH.

"You shall swear by the contents of this book, that you shall from henceforward be faithfull and true to our Sovereign Lord the King, and to his Heirs and Success^{rs}; obeisant and obedient you shall be to the Mayor and other Officers of this Town, the Franchises, Customs and Ordinances thereof you shall well maintain to your power, and keep harmless in that you may; you shall contribute to all manner of Charges within this Town, as Summons, Watches, Wards, Contributions, Taxes, Tallages,

¹ This order was issued in 1569 "according to old custom." The Aldermen were required to provide the gowns, and see that their wives wore them. The penalty for not possessing such gowns was £10; if their wives had them, but refused to wear them, a fine of 10/- was inflicted for each day on which they should have been worn. The immediate occasion of the issuing of this order was an expected visit of Elizabeth, who spent three days in Southampton, on her way from Titchfield to Basing. The gowns were required to be ready for her coming under a penalty of £10, and with them "French hoods" had to be worn.

² This George Gollop held the office of Sheriff in 1615, and of Mayor in 1621 and 1632. He was one of the Members of Parliament for the town from 1625-1628, and again in 1640. In 1636 he obtained a grant of the ruined castle and its ditches from Charles I, at an annual rent of 13/4; the property remained in his family for some time.

Lot and Scot,¹ and all other charges, bearing your Part thereof as a Burgess ought to do ; you shall not colour or bear the name of any Foreigner's or stranger's Goods, whereby the King or Town may loose any custom, Brokage, or Advantage ; you shall know no Foreigner or Stranger to buy or sell any Merchandise with any Foreigner or stranger within this Town, and the Franchises thereof, but you shall warn the Mayor, for the time being, or his Deputy of the same ; you shall sue or implead no inhabitant of this Town out of this Town without the special licence of the Mayor or his Assistants, or the more part of them for that time being ; you shall take no Apprentice for less time than seven years, within the first year whereof you shall cause him to be enroll'd, and at his Term's end you shall consent and procure him to set up, as much as in you lyeth, in this Town if he have well truely serv'd you ; you shall know no gathering of people, Conventicles or Conspiracies made against the King's peace or the Ordinances of this Town, but you shall warn the Mayor thereof and let them to your power ; the Counsell of the said Town you shall faithfully keep, and attend the Mayor, for the time being, at all Sessions and other Assemblies usual, not being lawfully occasion'd to the contrary. All these things you shall well and truely perform and keep.

“So help you God and the contents of this Book.”

HONOURARY BURGESSES.

They have likewise Honourary Burgesses ; they call them Out Burgesses, because they are mostly Gentlemen who do not live in the Town, but they sometimes pay this Compliment to Gentlemen that are inhabitants. They are sworn and their Oath is call'd.

The Oath of such Gentlemen as are admitted to the Freedom of a Burgess of the Towne, and not altogether subject to such Taxes, Tallages, Lott and Scott, and other attendances as other the common Burgesses, who pay Fine for their Freedom, are lyable to :—

“Ye shall be faithfull and true to our Sovereigne Lord the King and his Heirs and lawfull Successors, and the Franchises and Customs and Ordinances of this Towne of Southampton you shall maintaine and keepe harmeles in that that you may, to your power.

“So help you God.”

¹ Scot and lot.—See note, below “Members of Parliament.”

These honourary Burgesses have a right to vote in the Election of a Mayor and of Members of Parliament; and in matters of general concern to the Town it has allways been usual to call a Meeting of all the Burgesses in the Town, but these Honourary ones cannot be present at the deliberations of a Common Council.

CONCERNING OFFICES.

The Offices of Mayor, Recorder and Town Clerk have been treated of already; we come now to the inferior ones.

Tho' the serving Offices be the Charter qualification¹ for becoming members of the Common Council, yet some have been admitted on their paying Fines for Offices; as the Office of Bailiff is the first and consequently the introductory one to the Common Council, I shall give a few instances relating to that Office and the Sheriff's, w^{ch} were sometimes excus'd together.

A.D. 1696.—Mr. Rich^d White was excus'd from serving the Office of Water Bailiff² for a Fine of £10; and 1697, excus'd from that of senior Bailiff for £7, and was sworn of the Common Council.

A.D. 1726.—Mr. W^m Freeman was excus'd from serving the Offices of Bailiffs and Sheriff for a Fine of £30; and if it be the Recorder's opinion that he is a Member of the Common Council by fining to pay £5 more.

N.B.—He was a Member of the Common Council.

I have made choice of these two instances as being very full to the purpose; there are many others in the Journals. The Fines of composition for Offices have been very different at different times, and some have been excus'd without any Fine at all, so that the whole appears to depend upon the Will of the Common Council.

A.D. 1617.—Mr. Geo. Gollop was excus'd from serving Offices on condition that he provide a Scarlet Gown and pay Fine £20.

A.D. 1654.—Mr. Peter Seale excus'd for ever from Stew^d, Sheriff and Bailiffs. Fine £100.

¹ The reference is to the charter 16 Car. I, which ordains that, in order that the Mayor may have better support in maintaining and defending the fortresses and bulwarks of the town, "The Mayor, Recorder, Aldermen, Bailiffs and Sheriff of the sd town, that now are, or who shall hereafter be, and all others who before this time have been Mayor, Aldermen, Bailiffs or Sheriff of the sd town shall from henceforth for ever be, and shall be call'd the Common Council of the sd town."

² A marginal note is inserted here :—"It has been allways usual to choose the Bailiffs out of the younger Burgesses who have not served that office before; but 13 Eliz. it is recorded that Richard Goddard (tho' an Alderman) was chosen one of the Bailiffs for certain reasons then moving. N.B.—The Junr Bailiff is Water Bailiff; the Senlor, Bailiff of the Court."

A.D. 1657.—Mr. Rich^d Capelin from all Corporation Offices. Fine £50.

Mr. W^m Cole from all Offices except that of Mayor, and not to be Mayor for ten years. Fine £40.

A.D. 1685.—Mr. Thornburgh from Sheriff. Fine £12.

Mr. Pet^r Bulkeley from Water Bailiff. Fine £5.

A.D. 1688.—Mr. Pet^r Bulkeley from Sheriff. Fine £15.

A.D. 1696.—Mr. Nich^s Tyler from the two Bailiffs' Offices. Fine £30.

A.D. 1658.—Mr. Richbell was chosen Burgess, and at the same time excus'd from all Offices except that of Mayor.

A.D. 1665.—Mr. Richards, a Gentleman Burgess, having voluntarily offer'd to be Sheriff in the time of the Plague, was excus'd from ever being Mayor, except at his own choice.

A.D. 1619.—Tho^s Bedford was excus'd from all Offices, except his Burgesship, on account of his poverty.

There are many instances of later date, down to the present times, but they differ so little from those above mention'd, and at all times depend so much on the will of the Corporation, that it is needless to mention any more.

These Fines paid by way of composition must be distinguish'd from those Amercements that were set on persons for refusing to serve Offices.

It is at present a prevailing opinion that Burgesses are exempt from serving inferior Offices in the Town; but A.D. 1639, Mr. Stanley, a Burgess, paid a Fine to be excus'd from serving the Office of Constable.

The Office of Steward¹ has been laid aside some years. When it was in use the Steward receiv'd and paid all, except some few Articles that belong'd to the Mayor's Office, and both the Mayor and the Steward deliver'd in Books of their Acc^{ts} every year; there are many of these books in their Audit House: but some of their Stewards having prov'd very deficient, they came to a Resolution to hold an Audit half yearly for the receipt of their Rents, and to appoint a Treasurer and to settle their Acc^{ts} every Quarter.

There are some other Officers appointed from among the Townsmen who are not Burgesses: As four Discreets of the

¹ The place of the town steward has been filled by the appointment of a treasurer, whose duty consists in keeping the accounts of the Borough.

Market.¹ I do not find this Office mention'd in any Charter; perhaps they are necessary Appendages to the Mayor's Office of Clerk of the Market,² or they may depend on Custom only; the Form of their Oath will shew their Business:—

“Ye shall well and truly serve in your Office of the Discreets of the Market; ye shall see that they sell good Victual and wholesome for man's Body, both of Fish and Flesh, and be indifferent between the buyer and seller, and that the Fish Market begin according to Mr. Mayor's Proclamation. And all other things that to your Office belongeth ye shall well and truly execute. So help you God.”

They still continue to burn unwholesome Victuals.

As Porteswood is within the Liberties of the Town, they every year choose an officer for that Tithing who is call'd the Alderman of Porteswood³; his business is that of a Head-borough or Constable, and he is sworn into his Office in the Town Court. The Sergeants,⁴ besides their Duty of attendance upon the Mayor and Corporation, are sworn Officers to execute all Attachments, Arrests, &c., within the Town and its Precincts.

By their Charter 23 Henry VI they are empower'd to appoint Brokers, Packers, Porters and Carriers,⁵ as they had been us'd to do before that Charter. The Brokers and Packers are now out of date; but the Porters are, and allways have been,

¹ Guild Law No. 31 orders that “every year on the morrow after St. Michael shall be chosen and sworn two Discreets, to take care that the Statutes concerning the Fish Market be observ'd in all points, and they shall have the several points in writing. In like manner there shall be two Discreets elected and sworn to take care that the Statutes concerning Butchers and Poulterers be observ'd in all points, and these four men shall take care that the Statutes concerning Bread brought to Market from out of Town be well observ'd, and if anybody acts contrary to any of them, they shall give notice to the chief Alderman and the Bailiffs.”

² By the Charter of Incorporation, 23 Hen. VI, the Mayor was made Clerk of the Market.

³ This office dates back some centuries. The “oath” of the Alderman of Porteswood is found in a version of the Guild Ordinances made by William Overey, who was town clerk in 1473. A modern instance of this officer exercising his duties occurred in 1819, when the then Alderman of Porteswood called attention to the fact that the boundary stone called Haven Stone, which marked the dividing line between the Borough and the County of Hants, had been removed to be used at South Stoneham Mill. He was thus instrumental in getting a new boundary stone put in its place. The last time an Alderman of Porteswood was appointed was in 1904.

⁴ By the Charter 16 Car. I, the Mayor was empowered to have “four Sergeants at Mace and all other necessary and proper Inferior Officers and Servants,” who were to continue in their respective offices as long as they behaved well. In the seventeenth century these sergeants were generally called “biddels” or beadies. The father of Isaac Watts was fined £3 in 1675 for refusing to abjure the Covenant and take the necessary oaths when he was appointed “biddel.”

⁵ “They,” *i.e.*, the Mayor and Corporation. Brokers were employed to meet ships arriving in the harbour and bargain with them, as burgesses and merchant strangers, by an order of 1520, were not permitted to do so themselves, and payments had to be made within the town. Brokers were appointed by the Discreets of the Market, and had to take an oath before beginning their work; among other things, they were bound by it to inform the Alderman if a stranger bought and sold again within the town, and not to trade on their own account, or keep a tavern for wine. Packers were officials charged with the packing of exported goods which were liable to custom.

united into a kind of prescriptive Company, under the direction of the Corporation. They have a common stock of Horses, Carriages, &c., and their Pay¹ is collected by their Common Steward, and divided among them; their number is limited to seven, besides their Steward. They buy and sell their places, but must be admitted and may be turn'd out by the Common Council, who also When anyone offer'd himself to the Corporation for a Porter's place, he was, and is still, order'd to agree with his Predecessor or his widdow; but the Corporation do not interfere about the Price.

A.D. 1609.—A Porter was refus'd leave to sell his place till farther consideration was had.

The same year a Porter was turn'd out for drunkenness and other misdemeanours and misbehavior.

A.D. 1615.—The Porter's Fine for admission was order'd to be 40^s; it had sometimes been over £10 or 12.

A.D. 1632.—The Porters were order'd to give a £40 bond for the performance of their Duty.

A.D. 1724.—Order'd that if a Porter sells his place, he shall pay a Fine of £5 5s. to the Corporation.

They are to pay 40^s a year to the Corporation, w^{ch} has been at some times remitted, and at others insisted on.

Besides these there is a set of inferior Porters called Bearers, because their proper Business is to carry such things as may be born on men's backs, as Corn, Coal, &c.; these two were allways under the Corporation's direction.

A.D. 1626.—Order'd that the Bearers shall have 3d. a quarter for carrying Barley and Malt; appoint the rates of their Carriage, wh^{ch} is at present for every Pipe of Wine 6d., for every Hogs-head 3d. to any part of the Town within the Walls, and they are answerable for any accident that may happen till the Cask is safe upon it's Stand in the Cellar. The price for other goods is proportionate, and for every Chaldron of Sea Coal 2^s.

A few extracts from the Journals will farther explain the nature of their Office.

¹ In the Guild Laws the prices to be charged by the porters were laid down exactly, *e.g.*, for carrying a tun of wine on rope slings from the shore at West Quay to St. Michael's Church, they were authorised to ask 3d. They were obliged to do business for the burgesses before strangers, and if they offended in any point against the statutes, they could be imprisoned a day and night. By the Court Leet Records it appears that the porters were expected to act also as scavengers; in 1571 a complaint was lodged against them for putting the refuse in a "place not mete for that purpose as att Houndwell Crns." An entry of 1551 seems to show that as a class they had many bad habits; they many times "sit in the alle house whel other duthe do ther bussynysse," and "whel the cart is laden by the carters they give them evill language which cawseth the towne to have an evill uame."

They claim'd an exclusive Right of Carriage in the Town, especially of Goods landed at the Port, and this was countenanc'd by the Corporation thus :—

A.D. 1610.—The Porters claimed 8d. per thousand for carrying Salt Fish from the Key to any Warehouse in Town, but Alderman Cornish's Warehouse being very near the Key, they were order'd to carry for him for 6d. a thousand, and to have three half-pence a thousand for all that was carry'd by any other person than the Porters to Mr. Cornish's Warehouse.

A.D. 1613.—It was order'd that if the Porters are not at leisure to land the Fish of Mr. Edw. Exton, he may hire others, and shall pay to the Porters 2d. a thousand for all that they do not land.

A.D. 1632.—A Porter being complain'd of by the Bearers for carrying Malt, he was order'd to carry no more at his peril.

A.D. 1683.—Order'd that the Bearers shall carry coals for a half-penny a Bushel as far as Broad Lane,¹ and one penny wherever they will carry farther, and if they will carry at this price, none to disturb them, but when the Bearers refuse to carry at this price, the Porters to carry Coals.

A.D. 1719.—The Bearers are call'd a Company ; and it is order'd that if any of them refuse to work or create any disturbance, he shall be turn'd out.

No Bearers have been appointed by the Corporation for many years, and as all restrictions of this kind are now discountenanc'd, everybody carries that will.

But the Credit of the Porters, and the moderate Price at w^{ch} they carry, together with the circumstance of their being oblig'd to stand to all accidents that may happen in the Carriage, are sufficient inducements to most people to give them the preference.

It is incumbent on all that have been Sheriffs to be present at the Election of Officers, because all such are liable to be chosen Mayor. Fine for absence £10, and A.D. 1633, £50.

THE STAPLE.

Estate, a French word (written anciently *Estate*), signifies a Mart or Market, from whence those Towns to which Merchants are commanded to bring Wooll, Leather, Woolfels, Lead and Tin, are call'd Staples or Staple Towns, and the Laws made to regulate the proceedings of Merchants resorting to such places

¹ Broad Lane is a thoroughfare leading from the High Street to French Street. It formed the northern boundary of St. John's Church.

are call'd Statutes Staples ; there is another Law call'd Statute Merchant, w^{ch} corresponds so nearly with the others that they are often confounded ; the real difference between them will best appear from the definitions given of each. A Statute Merchant is a Bond or obligation of Record acknowledg'd before a Clerk of the Statute Merchant and the L^d Mayor of London, or two Merchants of the same city assign'd for that purpose, or the Mayor or Bailiff of any other City or Town thereto appointed. The Bond is to be seal'd with the Seal of the Debtor and the Seal of the King, on condition that if a Debt be not paid by the day appointed, Execution may be awarded against his Body, Lands and Goods, and the Creditor may hold the Lands to him and his Heirs till the Debt is levied and paid ; and during this time the Creditor is said to have an Estate by Statute Merchant in those Lands, or to be Tenant by Statute Merchant. See Stat. 11 Edw. I, Acton Burnell, and 13 Edw. I, De Mercatoribus, in which last the whole Form of the Proceedings is very particularly set forth. A Statute Staple is a bond of record acknowledg'd before the Mayor of the Staple in presence of one or more Constables of the same Staple, by virtue of which Statute Staple the Creditor may forthwith have Execution of the Body, Lands and Goods of the Debtor, upon non-payment ; and then he has an Estate by Statute Staple in those Lands, or is Tenant by Statute Staple, till his Debt is paid. See Stat. 27 Edw. III, De Stapulis, where the whole Proceedings are set forth and the names of the several Cities and Towns that were Staples at that time are set down.

Tho' this distinction be made by Mr. Wood, I much doubt of the difference ; the Statute 27 Edward III, ch. 9, says, indeed, that the intention of the statute was that "*les contractz faitez deinz le staple soit le meutz tenuz, et les paiementz prestement faitez*" (that the Contracts made in the Staple might be the better kept, and that prompt Payment might be made) ; yet the direction for the Execution is : "*que le Mair le staple per vertu de ce les lettres puisse prendre et tenir en prison les Corps du dettour, &c., apres la terme encouru*" (that the Mayor of the Staple may, by virtue of these Presents, take and keep in prison the body of the Debtor, &c., after the expiration of the appointed time) ; so that a Statute Staple seems to be only a Statute Merchant executed before the Officers of the Staple, the form of both being the same as to appointing a time of payment, as appears by following Staple Recognisance in my hands :—

Noverint universi me Will^m Esteney de Comm^u Suthton, Armig: teneri Tho^s Colriche in centum Marcis Sterlingorum pro Merchandisis ab eo in Stapula Westmonast, emptis solvendis eidem Tho^s aut suo Recto Attornato hoc Scriptum ostendenti, Haeredibus et executoribus suis, in Festo S^t Mich^s Archangeli, proxime post datam præsentium. Et nisi, &c.; quod currat super me Hæredes et Executores meos pena in Statuto Stapulæ prædict: pro huius modi Debito, recuperando ordinato.

Dat. in dicta Stapula, 25 Maii, 4 Henry V.

Know all men that I, Will^m Esteney, of the County of Southampton, Esq^r., am bound to Tho^s Colriche in 100 Marks standing for Goods bought of him in the Staple of Westminster, to be paid to the s^d Tho^s or his lawfull Attorney producing this Writing or to his Heirs and Executors on the Feast of St. Michael the Archangel, next after the Date of these Presents. And if I fail, that the Penalty appointed by the Statute of the s^d Staple for the recovery of such Debts shall go against me and my heirs and executors.

Dated at the s^d Staple, 25 May, 4 Henry V.

These Statutes were contriv'd and intended for the Security of Merchants only, but they were us'd by others, and became one of the Common Assurances of the Kingdom. The above Recognisance was made to secure Colriche in the possession of an Estate, for there is a Deed annex'd to it w^{ch} recites the Recognisance, and declares that if he continues in quiet possession, the Recognisance shall be void and of none effect, otherwise to continue in full force.

This was certainly contrary to the intention of the Statute, and was expressly forbid by a subsequent statute, 23 Henry VIII, ch. 6, sect. 11, w^{ch} orders that no Mayor or Constable of the Staple shall take any Recognisance for the payment of any Sum or Sums of money on pain of £40, unless it be for Merchandises of the same Staple lawfully bought and sold. But this was evaded by constantly inserting in the Recognisance the Clause "Pro Merchandisis in eadem Stapula emptes," whatever the Case was, whereas the Clause related in fact only to Staple Commodities. There were several other Statutes made for the regulation of some particulars relating to Staple Business, but they are of no use now. These Statutes have been long out of use, tho' they have never been actually repeal'd; the Proceedings were according to the Law Merch^t, not the Common Law of the Land.

Perhaps the several statutes concerning Bankrupts may amount to something like a virtual Repeal of the other Statutes, but the present Practice of confessing a Judgment seems to be akin to them, tho' the Form be not just the same.

There is no mention of a Staple in this Town before the Charter 23 Henry VI, but they allways practis'd Statutes Merchant, and many of the Laws of the Gild are form'd upon that Plan (see Law 27¹). Their Book of Record on this subject, us'd even after they had a Staple established by the above Charter, is still call'd the Book of Statutes Merchant. They did here, as in other places, transact all money matters this way; tho' the person concern'd or the business had no relation to Merchandise, or Trade properly so call'd. A few instances will shew this:—

In the reign of James I, Tho^s Fleming, Knight, of North Stoneham, was bound to Andrew Munday, of Nutshaling, by Statute Merchant, in £3000.

Will^m Lisle, Knight, of Wootton in the Isle of Wight, to Jn^o Foyle, of the Middle Temple, was bound by Statute Merchant in £1000.

It appears by the Defeasances that these were for Lands sold by Stat. Merch^t.

Phil^p Leigh, of Testwood, D^o to Mary Leigh, of Testwood, £8000.

Tho^s Monpesson, of the Close, Sarum, D^o to Eleanor Hodges, £3000.

S^r Jn^o Mill D^o to S^r Jn^o Clobery, £1000.

A.D. 1654.—Tho^s Dummer, of Chicknell in the Parish of North Stoneham, in the County of Southampton, Yeoman, was bound to John Comfort, of Portsmouth, in the County of Southampton, Merch^t, by Statute Merch^t, in £600. This was discharg'd A.D. 1662.

A.D. 1658.—The Rt. Hon. Heneage, E. of Winchelsea, was bound by Stat. Merch^t, to Mary Russell, widdow, daughter to Jn^o, L^d Visc^t Scudamore, in £16,000.

The latest Statute in this Book is dated A.D. 1689. They all run "Pro Merchandisis in hâc Stapulâ emptis."

The Corporation still continue to elect Officers of the Staple every year, who are sworn into their Offices, the Mayor taking the oath of Mayor of the Staple, besides the oath of Mayor as a civil Magistrate.

¹ Law 27:—"It is ordained that the chief Alderman of the Town, or the Balliffs and the twelve Jurors, shall be intendants over the Merchants, as well Strangers as Inhabitants, to see that they give sufficient security for their debts, and to take care of the recognisance of their Debtors, the day of which shall be enrolled before them, so that if the day be not kept the Debtor shall be immediately distrained, in his Lands and Chattels, that he make satisfaction according to the usage of the town."

OF THE EXEMPTION FROM PRISAGE.

Prisage of Wines is an ancient Duty or Custom payable on Wines at certain Ports. It is where the King claims out of every Ship or Vessel laden with Wines containing twenty Tons or more, two Tons of Wine, the one before, the other behind the Mast, at his Price, w^{ch} is twenty shillings for each Ton; it is for the use of the King's cellar, and is receiv'd by his Butler, whence it is now generally call'd the King's Butlerage. It is usually compounded for at 10^s per ton for the whole Cargo, because if different persons have Wine in the same Ship, it wou'd fall hard upon those whose Wines shou'd happen to be taken for Prisage.

The payment of this Duty was remitted to the Burgesses of this Town, first by a charter to Henry VIII, and afterwards by an Act of Parliament, 23 of the same King. But as one Ton of red Wine a year out of the Prisage of this Port had, before this remission, been granted to each of the following Abbies, viz., Beaulieu,¹ al^s Bewley, Titchfield,² Lettely, al^s Nettely,³ Waverly,⁴ and St. Dionis⁵ (for the celebration of Mass), these five Tons are excepted in the Act. Upon the Dissolution of Abbies, these five Tons, being the Goods of the Church, return'd into the King's hands, but they were not regularly paid, w^{ch} neglect brought on a Quo Warranto,⁶ 26 Elizabeth; and A.D. 1608, one Mr. Birchmeare, who was Prisage Master or Farmer of the Prisage, sued the Town for Arrears of these five Tons of Abbey Prisage.

¹ The Cistercian Abbey of Beaulieu was founded about 1204 by John, it is said, in a fit of penitence for some of his misdeeds after a bad dream. The Abbey seems to have been connected closely with Southampton in early days; on more than one occasion its Abbot was made an honorary burgess. It was included in the Deanery of Southampton in the sixteenth century. In 1471 the Countess of Warwick, after landing at Southampton and hearing there of the Earl's fall at Barnet, went on to Beaulieu and took sanctuary. Edward VI stayed there in 1552, after spending the two preceding days in this town. Dr. Speed's story, that Perkin Warbeck, who had taken sanctuary in the Abbey, was made prisoner there by the Mayor of Southampton, has not been authenticated.

² Titchfield Abbey was founded in 1222 by Peter des Roches. It was frequently visited by the sovereigns of England on the way to or from Southampton. Margaret of Anjou, the bride of Henry VI, stayed for a few days at God's House before she went on to Titchfield, where her marriage was solemnised. Edward VI was there, in 1552, as the guest of the Earl of Southampton, into whose family the Abbey had come at the time of the dissolution of the Monasteries.

³ Netley Abbey, also a Cistercian house, was founded in 1239; it was an offshoot from Beaulieu. Its history is very closely connected with that of Southampton. Netley lay within the Admiralty jurisdiction. The Abbey was included in the Deanery of this town as far back as 1282. A dispute occurred with the Abbot in 1290 as to whether he should pay toll, which was settled in favour of the Monks of Netley being freed from tolls on necessary articles of food and clothing.

⁴ Waverley Abbey, near Farnham, was probably the mother house of the Cistercians in England.

⁵ For St. Denys, see Chap. XV.

⁶ Quo Warranto.—A writ issuable out of the King's Bench Division of the High Court of Justice for the Crown against a person who claims or usurps any office, franchise or liberty, to inquire by what authority he supports his claim. See Chap. XI, Of the Burgesses.

The Town was cast and paid 500 Marks. After which, the King upon their Petition¹ granted them a perpetual exemption from paying these five Tons of Prisage for the future. This payment of 500 Marks was a great blow to them, and as it was a Duty that shou'd have been paid by the Burgesses, it was agreed by the consent of all the Burg^s that an Order shou'd be made to lay such a Tax upon all Wines imported by Burgesses as the Mayor and his Brethren shou'd think fit.

In consequence of this resolution an Order was made the same year, 1608, that 2^s per ton on all Wines bro^t for the use of Burgesses, or bought by Burgesses of Foreigners, be paid, in consideration of the Charge w^{ch} the Corporation has been at in paying the Arrears of the five tons of Abbey Prisage, and procuring a Charter of discharge from that Duty for the future. This Order to continue for one whole year.

A.D. 1609.—The Wine Merch^{ts} Burgesses were call'd on to pay this 2^s per Ton which they promis'd to do.

A.D. 1610.—The Town Steward was order'd to receive of the Burgesses the money due for Wynes, *i.e.*, the above 2^s per Ton.

A.D. 1611.—Order'd that the 2^s per Ton of Burgess's Wine be paid to such Collector as the House (of Burg^s) shall appoint.

How long the course of this payment continued at that time I do not find ; but it was disputed A.D. 1620 and referr'd to the Recorder, who sent an Award w^{ch} probably put a Stop to it.

But A.D. 1701, it was reviv'd again, and in 1708 the Collector of the Customs was desir'd to receive 2^s per Ton of all the Burgesses of this Town, in lieu of Prisage for Wine imported, allowing them ten per Cent. for prompt payment and Leekage.

A.D. 1709.—A Deputation to the Collector of the Customs for the same purpose was order'd, and it is set forth that this payment is according to ancient Custom.

There are several subsequent Orders for the Collector to pay this money to the Mayor.

From these last mention'd Orders it is very plain that the Members of the Corporation, at the time they were made, were quite ignorant of the reason of this 2^s per Ton being first paid ; or they wou'd never have reviv'd after almost 100 years' discontinuance. It has been drop'd many years.

¹ This petition, which is given in extenso in Appendix N, was presented to James I, and its demands were granted by him in 1608. The grounds upon which it was based were the heavy expenses incurred by the town in maintaining the fortifications, which could only be met with great difficulty now that trade had declined so much, and the payment of the Fee Farm. It was pointed out that many wealthy people had left Southampton, and that more were intending to leave unless help was forthcoming.

They have had some Trials at Law upon this Subject, and their Right has been allways supported when their Proceedings have been regular. But in a Trial a few years ago, which, I think, was their last on this Subject, they were cast in that particular instance by a blunder in their Breif. The Case was, a Ship that had some wines on board, belonging to a Burgess of Southampton, had landed Wines belonging to some other people at Plymouth, on which the Prisage Master there claim'd the Prisage money for the whole Cargo. The Southampton Burgess insisted on his exemption and was sued for the money. Upon the Trial the Breif did not set forth that the Burgess's Wines were never landed at Plymouth, nor was that Circumstance at all mention'd (if those particular Wines had been landed there, the exemption was void, of course), and from this omission the Cause was determin'd against the Southampton Burgess.

But this is no impeachment of their Right in general.

OF THE ADMIRALTY JURISDICTION.

This was first granted, as appears above, by the Charter 30 Henry VI¹; the extent of it was to the two extremities of the ancient Port, for Langeston Haven is the water w^{ch} divides Portsmouth Island from the Island of Haling, and Hurst is the Castle w^{ch} stands on the point of a spit a little to the west of Lemington, or rather, Hurst is the Spit itself, for the Castle was built by Henry VIII long after the date of that charter.²

In consequence of the above Grant they exercised every branch of Admiralty Power; they had in the Town an Admiralty Court³ and Prison; they claim'd all Wrecks and took cognisance of

¹ The charter of 23 Henry VI, 1445, granted to the Mayor and inhabitants of Southampton exemption from obedience to the precepts of the Admiral of England, and stated that the port of Portsmouth was within the liberties of Southampton. In that of 30 Henry VI, power was given to the Mayor "to do all and singular Acts which appertain to the office of Admiral of England," and in 1 Edward IV, we find "it shall be lawful for the Mayor to resist any Admiral who shall attempt to do any Act of his Office within the said Town or its precincts."

² Here is a marginal note as follows: "2 Edward III, in a Trial with Lymlington about the Petty Customs it is set forth that from Hurst to Langstone is within the Port of Southampton."

³ In the charter of 18 Charles I, 1640, it was ordered that this Admiralty Court should meet at the Guildhall, or any other place within the precincts, as frequently as was necessary, and that it should be composed of the Mayor, Recorder and four Aldermen, and a civil lawyer, if need arose for the services of such.

This court assembled in different places; it was frequently held upon the Watergate; we read of its meeting also on the sea shore at Keyhaven (between Milford-on-sea and Hurst Castle), at Hamble, at Lepe and at Lymlington, where in 1756 it was the cause of another dispute. It seems that in 1707 and 1708, when the court had met at Lymlington, the Southampton Corporation had asked permission to put up their booth on the quay there, and to carry their silver oar through the borough. In 1756 they

Fishing in the Water within their Precincts, w^{ch} they suffer'd none to do but such Fishermen as were licenc'd by them; and as by the Admiralty Law it is sea everywhere to the first Bridge, they claim'd a Right to exercise that Power as far as Redbridge on the River Test, and as far as Wood Mill on the River Ytchen. There are many instances in their Journals of their exercising a full Power on all the Water within their District, thus:—

15 Henry VII.—A Mast was bro^t as a Wreck from the Isle of Wight.

18 Henry VII.—A Man was fin'd for dragging Oysters.

A.D. 1597.—39 Elizabeth, Tho^s Ridley, Esq^r, was chosen the Mayor's Council for the Admiralty Business¹ for Life, Salary 20^s a year, and his Charges to be born whenever he comes to yield his advice.

A.D. 1610.—S^r Tho^s West, of Testwood, prosecuted some licenc'd Fishermen for fishing below Redbridge; the House advis'd them to use S^r Tho^s well, and no doubt he wou'd withdraw his Action, w^{ch} they suppose to be grounded on their fishing with unlawfull Nets, and not in opposition to the Town's Right. The Action was withdrawn.

A.D. 1611.—Owners of Boats were order'd to bring Oysters to the Key for the Marshall of the Admir^{ty} to lay them in convenient places in the Harbour, according to ancient Custom.

A.D. 1657.—The Corporation granted a Warrant to the Fishermen of Itchen to take away Guns from all persons shooting at fowl upon the Sea within their Admiralty.

A.D. 1642.—They gave a grant for fishing in Itchen Ferry River.

A.D. 1649.—Their Right of fishing there was disputed; and

omitted to obtain permission, and the Corporation of Lymington objected; so Southampton gave way, asked leave, which was granted, erected their booth and carried their siver oar in state through Lymington.

There was no fixed number of jurors in this court, it varied very much at different times; at a court held at Hamble in 1508, there were as many as thirty-six. They were drawn from different places along the coast, *e.g.*, from Botley, Warsash, Netley, Bursledon, etc.

From the Court Leet Records we gather that the court did not meet with the regularity required of it. In 1600 it was presented that the court was not held yearly as it ought to be, "which default if not reformed will be a means that for want of use thereof we shall lose it, the same as we have lost Portsmouth." This complaint is frequently repeated; in 1604 the Court Leet remark pathetically that by discontinuance they may lose their liberties and privileges, "which cost much monie the gettinge of them, and in these dayes, as experience teacheth us, everie man is readdle to have a taste of other men's freedoms if not timely prevented"; and again in 1615 they complained that the court had not met for five years, and feared "lest Time the devourer of all things, and the omittance of the same maye lose the whole privilege."

¹ By the statute of 30 Henry VI the Admiralty Court was empowered to call to its aid, when necessary, a person skilled in the Civil Law "for its better information," so that the Navigation and Commerce carried on in the town should be preserved and maintained, and that "full and speedy justice should constantly be done and exercised."

the same year Mr. Peter Clungeon¹ surrender'd his Lease for fishing and fowling in Itchen ferry River; so it appears that they were cast in the Dispute.

A.D. 1613.—It was order'd that the Burgesses and their servants shou'd pay nothing for their passage over Itchen Ferry,² and the Ferry men were presented for taking money of them. About the same time it was order'd that the Fishermen of Itchen shou'd lay Gravel on the Shoar, on the Town side of the Ferry. But these matters relating to the Ferry seem rather to depend on their having the Liberty to land their Passengers on the Town side, than on the Adm^{ty} Jurisdiction. The Passage to Hythe³ was formerly a Ferry, and the Corporation once apply'd for a Charter for it, on w^{ch} S^r Christ^r Parkins, one of the King's Masters of Requests, sent to them for information concerning this matter. Their answer was, that by Vertue of their Admiralty Jurisdiction, they had allways settled the price of the Passage, as follows:—for a man and a horse 3d., for a single man 1d., market people ob. ($\frac{1}{2}$ d.), a Cowe 3d., an Ox 6d., 20 sheep 6d.; but nothing came of this, and that Ferry has been drop'd many years.

A.D. 1684.—Some of Cowes were prosecuted for a Riot within the Town's Admiralty.

The same year an accident happen'd w^{ch} put an end to their usual exertion of their Admiralty Jurisdiction. The case was as under:—

A Dutch Ship laden with Wines had been by stress of Weather stranded on Calshot Spit, which is within the Admiralty of Southampton; when the Mayor heard of it, he hired a Vessell, and taking with him some of the Burgesses, and some of the Custom House Officers, went down to save what he cou'd for the owners, his Company, besides Mariners and Labourers, being about ten persons. When he came down, he found that one

¹ Mr. Peter Clungeon seems to have been an important person in the town during the first half of the seventeenth century; in 1647 he was one of the two men appointed to superintend the repairing of the platform. The Clungeon family was much in evidence; the name occurs five times in the list of mayors, and three times among the sheriffs in this century. Peter Clungeon held the office of mayor in 1633 and 1646.

² The free passage demanded for the burgesses appears to have been the price paid by the Itchen ferrymen for permission to land their passengers on the town side. In 1767, free passage being refused to a burgess, the owners of the ferry were called upon to explain their action, and in the end they had to acknowledge that their right of landing passengers was held only on condition of carrying over burgesses free of charge. Cross House marks the position of the old landing place, and possibly also the site of the old boundary cross at Itchenworth; its antiquity cannot be determined exactly, but there are several presentments in the Court Leet Books showing that it was going to decay for some time before 1634, when it was restored during the mayoralty of Peter Clungeon.

It was here, too, that the Itchen ferrymen paid homage to the Mayor and his brethren every year, when they rode the bounds.

³ For the Hythe ferry, see Chapter V.

Robert Wetherick had seiz'd the Ship and Cargo as a Wreck for S^r Rob^t Holmes, Governor of the Isle of Wight, as Admirál of that part of the Coast. Upon the Mayor's declaring the place to be within the Adm^{ty} of Southampton, Wetherick went away to get, as he said, farther Orders from S^r Rob^t Holmes; and the Mayor set his people to work to save the Wines by hoisting them out of the Wreck into a Galliot Hoy w^{ch} he had provided for that purpose; the next day, while they were at work, Wetherick return'd with several others and again seiz'd the Wines, declaring that they did it by Order of S^r Rob^t Holmes.

However, after two or three hours' interruption, there being some danger of the wines being spoiled, they suffer'd the men of Southampton to go on as well as themselves, and when the Galliot Hoy was full, the Mayor and his Company sail'd with her for Southampton, in order to bring the s^d Wines to the King's Custom House there, being upwards of ninety Hogsheads; but when they came about half way up the River, Wetherick and his Company, about twenty, who had pursued them, enter'd their Ship, arm'd with Guns and drawn swords, by the command, as they said, of S^r Rob^t Holmes, and did cut and beat severall persons on board the s^d Hoy, and did threaten to kill the persons thereupon if they did not depart, and allso the Master of the Hoy, if he did not sail back to Cowes with the Wines; on w^{ch} the Mayor and his Company gave up the point. But S^r Rob^t Holmes afterwards lodg'd a complaint ag^t them at the Council Board, where a Determination was given ag^t the Corporation.

This Check put a stop to the Carreer of their Admiralty Jurisdiction, tho' they exercised it afterwards in some points, as:—

A.D. 1687.—They granted a Deputation to the men of Heithe to collect a Duty on Vessels to repair the Causeway there, being within the Town's Admiralty.

A.D. 1708.—It was order'd that a proper person shou'd be sent by Mr. Mayor to a Court of Admiralty, to be held at Portsmouth by the D. of Bolton, with a letter to his Grace's Judge Advocate, and a Protestation declaring the Town's Rights.

Within the memory of some persons now living they have given Licences to Fishermen, and have gone once a year to fish themselves, as high as Redbridge and Wood Mill; but these have been long left off, and they have now scarce any remains of their Admiralty except their Silver Oar,¹ and their going

¹ "Their silver oar." This is copied from the great silver oar of the High Court of Admiralty, which is the symbol of authority possessed by that court to arrest persons and stop vessels on the high seas.

sometimes a kind of Circuit to keep Admiralty Courts at Lymington and some other places, where they sometimes get some small matter of Wrecks; but this is in general looked on as a matter of meer formality, and is reckon'd to be a jaunt of Pleasure rather than of Business.

It appears by some letters in my hands that A.D. 1707 they had some dispute with the D. of Bolton on this subject, but it does not appear to have been decided.

It appears, likewise, that A.D. 1709 some Steps were taken towards an attempt to recover the Admiralty Jurisdiction, but the Affair was drop'd.¹

PETTY CUSTOMS.

These are determin'd by a Table² of them kept by the Corporation, in w^{ch} the Town Duty on every species of Merchandise is set forth, and shou'd be paid by all the places within the extent of their Port; but this matter became a bone of contention very early, for 2 Edward III, as is before mention'd, the men of Lymington disputed this point,³ and were cast; the same fate has often attended Lymington on this subject.

But A.D. 1730,⁴ the people of that place had the address to get their Cause mov'd from the Courts above to the County Assize, where a Jury from their own neighbourhood gave a Verdict in their favour, and here, I think, the matter has rested ever since with regard to Lymington.

The Corporation have had many Controversies on this subject, but I learn from a late conversation with some of their Members

¹ Southampton has now no Admiralty rights; they were abolished in 1835.

² For this table see Appendix R.

Petty Customs were duties on all merchandise paid to Southampton by merchants of all places included in the port. In a lease of the customs, dated 1302, a list of these places is given, viz., Portsmouth, Hamble, Lymington, Schorprize (which was situated on the east side of the Lymington River), Keyhaven and Redbridge.

There were many disputes with neighbouring towns over the petty customs. Portsmouth especially resented the exaction of the dues. In 1239 the burgesses of Southampton sued those of Portsmouth for damages, because the latter had taken certain customs. Dr. Speed gives the agreement made between the two, in full, in Appendix B.

³ In the second year of Edward III's reign the Mayor of Southampton sued the men of Lymington for petty customs and was successful, but there was a dispute between the two towns earlier than this. In 1324 the Mayor and others of Lymington were accused of taking, in their town, tolls which rightly belonged to Southampton, because, as the burgesses of the latter claimed, they held their port, which extended from Hurst to Langstone, of the king at a fee-farm of £220 per annum, and that therefore customs to a certain amount on all goods belonged to them. Lymington refused to acknowledge that it was within the port of Southampton; however, the jury found that all water between Hurst and Langstone was within Southampton's jurisdiction, and Lymington was ordered to pay £200 out of the £500 damages which had been claimed against it.

⁴ About 1730 the Government established a custom house at Lymington, to be subordinate to that of Southampton. This was done in consequence of a petition to Sir Robert Walpole, made by the inhabitants of Lymington, who stated that as their port was only 25 miles from Southampton, it would be convenient for their merchants to be included in the jurisdiction of the latter town.

that they have of late years found the course of the Law so averse to their Claim that they at present confine themselves merely to the Port of the Town.

There appear in the Journals some instances of applications for making the Town a free Port, by w^{ch} is meant sinking the Petty Customs, and the Corporation have sometimes advertis'd that they wou'd take no Petty Customs for some particular Branches of Trade, if any such shou'd come to the Town. But both these schemes are very idle; for the £50 a year Fee Farm Rent w^{ch} they now pay is settled upon some charitable Foundation,¹ and cannot therefore be alienated without giving to that Foundation an Estate of equal or greater value, and even this cannot be done without an Act of Parliament.

As to the other point: if the Petty Customs amount to £200 a year, they are to pay £200 a year Fee Farm Rent; now, if any new branches of Trade shou'd come to the Town, by w^{ch} the Petty Customs ought to be £200 a year, which wou'd be easily known from the Custom House Books, their refusing to take what is their due, for the sake of defrauding the Crown, wou'd be too palpable a peice of Fallacy to be suffer'd. Therefore to effect this part of their Scheme they must get a Release from the Crown from any future eventual increase of their Fee Farm Rent; if they do this and buy out the £50 a year in the manner and form above mention'd, they may make the Town a Free Port, but there is no other way of doing it.

A.D. 1680.—The Petty Customs were certified at £21 : 6 : 8,
 „ 1683.— „ „ „ „ „ „ £23 : 14 : 4,
 and they still continue to certify them under £30 a year, tho' they pay £50 a year out of them. This is a great mistaking of the intention of the Charter,² w^{ch} most undoubtedly is that they shou'd certify the whole Produce, without deducting what they pay out of them.

¹ The "charitable foundation" was a school founded by the Countess of Salisbury, at Hatfield, for twenty girls who were to be taught to read and sew. The fee-farm was purchased in 1737 for the sum of £1500, with the purpose of endowing the school with an income of £50 per annum, £30 of which provided the salary of the mistress, £10 the clothing of the children, and the remaining £10 for repairs and taxes.

² The charter referred to is that of 7 Edward VI; it runs as follows:—"When the Petty Customs shall any year amount to £200, or when any ships call'd Carreckes of Genoa, or any ships call'd Gallies of Venice shall in any year come with their Merchandise to the Port of the sd Town, and shall unload or unship their Cargo or shall reload there, the fee farm shall amount to £200. But they shall pay £50 a year and no more when the Petty Customs of the town aforesaid do not amount to the said sum of £200, and when none of the said ships call'd Carreckes of Genoa or ships call'd Gallies of Venice shall come to the sd Port." This reduction was confirmed by the last governing charter, that of 1640, and on the same conditions. The payment continued to be made until 1803, when by an Act of Parliament it was abolished and the Corporation was authorised to receive instead one-fifth of the port dues.

The Burgesses pay no Petty Customs, and a Burgess's entering the Goods of a person not a Burgess, to defraud the Corporation of the Petty Customs, is punish'd with Disfranchisement.

A.D. 1700.—It was order'd that if a Foreigner (*i.e.*, a person not a Burgess) bring Goods to the Port, and an inhabiting Burgess buy them and enter them in his own name, that Burgess shall pay the Petty Customs.

A.D. 1622.—Order'd that the Goods of persons refusing to pay the Petty Customs shall be distrain'd.

OF THE REVENUES OF THE CORPORATION.

These must be consider'd under two Heads, viz., the ancient Revenues and the modern; many articles of the ancient ones being sunk and grown out of use, as:—

THE TOLL AT BARGATE.

It appears by the Journals that the Bridge at Bargate was formerly a wooden one¹ (I suppose it was originally a Draw-bridge) and was maintain'd by a Toll²; what the Toll was I do not find; the Laws of the Gild (n^o 36)³ mention a Billet (call'd also a Shide) of wood, out of every carriage that brings Billet wood to Town for Sale; but this is there said to be only the Bailiff's Fee, and cou'd never amount to the sum for w^{ch} the Toll was let, the Rent of it being at different times from £15 to £20 a year; but A.D. 1679, this Toll was bought off by the following contribution to build a stone Bridge:—

Collected in All S ^{ts} Parish, for taking off the	£	s.	d.
Pontage	12	4	0
Given by S ^r Chas. Wyndham (Member of Parl ^t for the Town), Do.	50	0	0
Collected in St. Michael's Parish, Do.	8	16	0
Given by Col. John Wyndham, Do.	50	0	0
Paid by Mr. Smith and Mr. Macham, Do.	8	2	0
Paid by Mr. Fra ^s Atfeild of Newberry, Do.	2	0	0

and Subscribers who had not paid their money were order'd to be prosecuted.

¹ That the bridge was a wooden one is shown by presentments of the Court Leet, one of which (1598) states that the planks are rotten and decayed, and another (1602) that the bridge is sunk so that the pavement must be taken up and the ground raised, "otherwise the water standing there will decay the timber work."

² See Appendix T for a list of articles upon which toll had to be paid as they were brought into the town.

³ This Guild Law ordered that the Bailiffs should have nothing from any Article that belongs to the Customs, only "Amorcements and Presents and Billet wood, that is to say, one Billet out of every

POUNDAGE FOR SHIPS SOLD.¹

This is said to be four pence in the Pound.

Buyer and seller payeth leek.

A.D. 1605.—A Distress was levied on this Acc^t.

There are many entries of it's being paid, as A.D. 1622, 1629, 1633, 1638, &c. It has been long left off.

ANCHORAGE.				£	s.	d.
Of a Carreck ²	...	...	...	0	6	8
Of a Galley	...	...	...	0	10	0
Of every Dragger ³ having a Cocke Bote				0	0	4
Of every little Bote	...	...	...	0	0	2

This has been long left off for the small Craft.

Stallagium⁴ Artificum, commonly called

STALL AND ART.

This was a Fine or Quit Rent paid to the Corporation by every inhabitant of the Town who has a Stall, Bulk or Rails projecting beyond the fronts of their Houses; some paid 3d. a year, some 6d., some 1s., some 1s. 6d., according to the extent or breadth of the fronts of their Houses.

It has been discontinued some years.

SWEET WINE DUTY.⁵

This is set forth in the Journal, 1683, to have been formerly worth £200 a year.

A.D. 1508.—Upon the death of the E. of Leicester, his Executors paid for one year's Rent of this Duty, £133 : 6 : 8.

A.D. 1611.—It was leas'd to Mr. Rob^t Chambers, £ s. d.

Alderman, for 100 0 0

A.D. 1648.—It was let for 130 0 0

A.D. 1693.—It was let for 142 2 9

Carriage that brings Billet wood to Town for Sale and the driver shall have 1d. for his Billet." By "billet wood" is meant wood for fuel; by a statute of Elizabeth billets were ordered to be at least 3-ft. 4-in. in length. The word "billet" comes from the French *billot*, meaning the young stock of a tree.

¹ "Poundage of ships sold." A person who bought a ship was required to pay £1 sterling to the town. See the *Oak Book*, Folio 33, B.

² Carreck or carrack (O.F. *carraque*), a large ship of burthen, also fitted for warfare, formerly much used by the Portuguese in their trade with the East Indies.

³ Dragger is a variant of dredger. In the fifteenth and sixteenth centuries boats employed in dredging for oysters were called "dredgers."

⁴ Stallagium here means the place where a man could carry on his trade (Art), so "Stall and Art" would be a licence allowing people to pursue their various occupations. From the "Stall and Art" Lists given in the Court Leet Records, it is evident that payments often exceed 1/6, e.g., a keeper of "hostelage," who sold hay and brewed beer, would pay 2/-.

⁵ For information as to the wine trade, a very important item in the commerce of Southampton, see Chapter XIII on the trade of the town, and Appendices Q, R and S.

But the different course of Trade having at present reduc'd it so low that the Corporation receive no benefit from it, it may be fairly reckon'd amongst their lost Revenues, tho' the Grant be still in force.

1640.—Ballastage¹ and Horse Boat let pr. annum for £10:0:0, laid aside now.

Their present Revenues chiefly consist of the Rents of Houses, of w^{ch} they have many in the Town; some were left to them as perpetual Securities for charitable donations, some have fallen to them by Escheat, and many are built on the Town Waste,² which is their property as are all the parts of the Fortifications, except the Castle and it's appurtenances. They have besides several Warehouses w^{ch} were formerly places of public use, but the use of them being ceas'd, they let them out: as the Weigh House,³ the Tin-House, the Linnen Hall,⁴ &c. The next principal Article is the Rent of the Petty Customs,⁵ Wharfage and Cranage, which are generally let go together. The Rent of these has been very uncertain; they have been let at different times

¹ Ballastage was a toll paid for the privilege of taking up ballast from the bottom of the harbour.

² A valuable part of the town waste was that where the town ditches had once been; these ditches bounded the town on the north and east sides. They were filled in, possibly by the middle of the seventeenth century. On that part of them where Hanover Buildings now stands, were the archery butts. However, before the ditches were filled the Corporation made money out of them by letting them for fishing, and their banks for pasturage.

³ The Weigh House and Wool House probably are one and the same; both names appear to have been applied to the fine stone building at the south-east corner of Bugle Street. In a deed of 1365 it is called the "Weyhouse," and in another deed of 1388 the "Wool house." From its occupation by Spanish prisoners during the eighteenth century, it has frequently been named the Spanish prison.

Among the Guild Ordinances we find a regulation that strangers' goods were to be weighed at the King's beam, or tron, kept in the Weigh House. This for some time was in the custody of the Earls of Warwick, and some tenements in the town were held by that family on condition of its performing the service of weighing all goods in Southampton. There were frequent complaints in the Court Leet Records of light weights or the faultiness of the beam; people also tried to evade having their goods weighed by this beam, preferring, when they could do so, to use light weights in their own houses and thus defraud their customers. By the last governing charter, 16 Charles I, the Mayor was made gauger and weigher of goods at the King's standard.

⁴ The Tin House, see Chap. XIII. One of the Guild Ordinances required tin dealers to carry their tin to the Tin House and pay the porters. This house was situated in Westgate Street; we infer from a Court Leet presentment of 1603 that the Linnen House or Hall was above it, for it was pointed out that the Linnen Hall needed new flooring, the boards being altogether decayed, and that in consequence the goods in the Tin House would be spoiled; also that the linen would not be safe in the "loft" unless an honest man held the Tin House.

An order was made in 1553 that merchants were not to stow away their linen goods in hostleries and houses, as the town had lofts and warehouses fit for the same, and that the Linnen Hall must be used. Formerly it had stood empty through the greediness of those "who have more regard to their private gain and lucre than to the wealth and advancement of the town."

The Linnen Hall was to be used only by inhabitants of the town; in 1569 a complaint was made that the men of Jersey and Guernsey had the use of it two days in the week "for dyvers considerations," and that foreigners and strangers had agreed to buy and sell only on those days, so that the inhabitants' trade was greatly hindered. An order was made in 1609 that linen must not be sold in private houses, but must be taken to the Hall; many persons were fined for breaking this law, the penalty being 20/- the piece for every offence.

⁵ The rent of the petty customs was let in 1632 for £135 per annum; later, in 1645, £132 per annum was paid for it, including various other dues such as gauging, weighing, anchorage of ships, wharfage and cranage, i.e., the money paid for the privilege of using the crane for landing goods from vessels.

from £30 a year to £150 a year, w^{ch} is the present Rent,¹ and is the greatest that has been given since they were first let, w^{ch} is about 120 years.

They have besides some Port Dues: A Ship with Corn or Salt, if she have Tops, to pay 8 Bushells, if she have no Tops, 4 Bushells; Coals the same; a Boat of 15 Tons, one Bushell; and so in proportion.

But the Masters of Ships evade this larger payment by taking up the Floor Boards of their Tops before they come into the River, and they do not call them Tops but Cross Barrs.

They have likewise some small Dues from Oysters and Fish.

They have likewise the Fines and Amercements of all kinds,² except those for encroachments and nuisances in the Streets, w^{ch} they have very lately given up, as will be observ'd hereafter.

CHARITIES.

In the beginning of Queen Elizabeth's Reign, S^r Tho^s White, Alderman of London, and Founder of S^t John Baptist's College in Oxford, gave £100 a year to be paid alternately for ever to 24 Corporations,³ of w^{ch} that of Southampton was one; the £100 to be divided into four parts, and £25 each to be lent without Interest for ten years, to four poor Tradesmen, among whom Clothiers are to have the preference; and each person is to find sufficient Security for the repayment of it at the end of the Term; and no person is to have it twice.

Any Town or City failing in the performance of their part is to have it no more, but it is, in that case, to be dispos'd of to some other Town, at the discretion of the Corporation of Bristol and the President and Scholars of S^t John's College, who, with the Master and Wardens of the Merch^t Taylor's Company in London (of w^{ch} Company S^r Tho^s White was a Member), are appointed Trustees; and two Visitors, one to be nam'd by the Corporation of Bristol, the other by the Pres^t and Scholars of S^t John's College, are to visit the several Towns once in 24 years, and to enquire how they have complied with the conditions.

The Land that was made security for this Charity is the very spot on w^{ch} the new square at Bristol has since been built, by w^{ch} the value of the Estate is very greatly increas'd.

¹ The present rate, *i.e.*, 1770.

² "Fines and ameracements of all kinds." There were many minor offences for which fines were levied, *e.g.*, leaving timber in the High Street, refusal to appear before the Court Leet when summoned, overcharging the Common (*i.e.*, putting more than the fixed number of animals there), loading a cart on Sunday, blocking a light on another man's property, using irreverent and blasphemous language, etc.

³ Each of the twenty-four towns now receives in rotation £104 per annum; in Southampton the money is given to the Grammar School.

On this Acc^t A.D. 1712, one Mr. Risebrow of Norwich, w^{ch} is one of the Towns concern'd, sent a Proposal to this and the other Corporations concern'd, to sue the Corporation of Bristol for an equal share of the improv'd Profits of it. But I do not find that anything was done in it then.

A.D. 1731.—The Corporation of S'ton advanc'd £50, by advice of their Recorder, towards a Suit with Bristol on this subject; but A.D. 1733 the Suit was dropt by the Recorder's advice, and the money was return'd. The Case is: The Estate was given to the Corporation of Bristol on condition of their paying £100 a year to the others as directed; and if they pay that, the others have no pretence to any farther Demand on the Estate.

Mr. John Steptoe,¹ Alderman (he was Mayor A.D. 1664) gave an Estate in Land in the New Forest to the Corporation of Southampton; the Rent of it is about £20 a year; the application of it is to lend £10 for ten years without interest to poor Tradesmen, upon their finding security for the repayment. The Corporation dispose of the overplus of the clear profits of the Estate in Charity.

Mr. John Major,² Alderman (he was Mayor A.D. 1601 and 1616), left a legacy of £200 to the Corporation, to be employ'd in some charitable use in the Town. This Legacy was never paid till the Corporation, A.D. 1671, sued Major Dunch, Esq^r, the Heir of John Major, for it in the Court of Chancery, when they recovered both the principal money and the improv'd value, amounting in the whole to £800. On w^{ch} the Corporⁿ gave the Town Work House to be converted into an Hospital for the use of this Charity, and call'd it St. John's Hospital. They were order'd by the Decree of the Court to give security

¹ The estate given by Alderman Steptoe was in the parishes of Fawley and Milford; it has since been exchanged for land near Romsey, which was sold for over £3000. The main part of the proceeds is now devoted to the Grammar School.

² Mr. John Major died in 1629-30, and it was probably due to his bequest that a workhouse was established in Southampton; but the money was not used for about forty years, during which time the town provided a house for twenty children, who were to be taught useful trades. The first master was one John Harris, who agreed to find the children in food and clothing on condition that he should have the money earned by their labour, until they could be apprenticed. He stipulated too, that he should not be required to take in any "broken or diseased beastly boye." A house of correction was also to be under his care, where idle vagrants were to be compelled to work, the town crier being called upon to administer corporal punishment if they were lazy. This was the town workhouse mentioned below. It seems to have been allowed to fall into decay, and the number of children in it to decrease by half; so in 1673 it was transformed, with the help of Mr. Major's legacy (which now by accumulated interest had increased to £728) into St. John's Hospital. This was in French Street, on the site where, until recently, the old theatre stood, and it was to be used for the employment of other poor people besides the "six poor boys." It became the general workhouse for the town in 1773, when the various parishes were united into one poor law district; two years later a new workhouse was erected on the same site in St. Mary's Street as at present, and St. John's Hospital was sold.

for the payment of £40 a year to the Master of it, to maintain six poor Boys, to be set on work in some lawfull employment.

The Mayor, Recorder, and the three Senior Aldermen, and Mr. Dunch and his Heirs for ever, are Visitors. A Right is reserv'd to Mr. Dunch and his Heirs to put in one Boy, but it must be one of the Town, not a stranger. The rest to be chosen by the Visitors.

About A.D. 1753, Mr. Rich^d Taunton,¹ Merch^t, Alderman, left by his Will an Estate of £300 a year and about £6000 or £7000 in money, to found an Hospital for the Education of Boys for Business, cheifly for the Sea; to pay allso £40 a year among such Aldermen's Widdows as want assistance, and £20 a year to the Minister of Holy Rhood's Parish, on certain conditions to be mention'd hereafter, and likewise the interest of £100 to the Town Clerk for keeping the Acc^{ts} of this Charity; for w^{ch} he appointed the Corporation and some other persons Trustees.

But Mr. Taunton not living a year after the Date of his Will, his Heirs at Law recover'd the Estate by the Mortmain Act, but the Trustees had the money, and employ the interest of it, as far as it will go, after the other payments are made, in cloathing Boys and putting them to School.

SMALLER CHARITIES.

Mr. Geo. Pemberton,² to the Poor, on S^t Tho^s and S^t Geo. days, each day, £4 : 10 : 0.

Mrs. Bridget Parkinson,³ to the Poor, the int^t of £20 at 6 p.c. by Quarterly payments.

Mr. Law^r Senny,⁴ to 50 Poor rs., and 5s. to the Preacher at S^t Lawr. Ch., Quarterly.

¹ A scheme was prepared in 1760 and confirmed by the Court of Chancery (it was modified in 1771), by which Taunton Trade School was established. At first ten boys only were to be taken, who were to be trained for a naval life; if unfit for that however, they might be apprenticed to naval trades. Also six poor persons, of not less than fifty years of age, should be "pensioners" of the charity and each receive £10. Richard Taunton left special instructions that the poor of St. John's Parish, in which he was born, should have the preference. In the old burial ground of St. John's Church, the site on which the church itself formerly stood, is a memorial to Richard Taunton, who was buried here in 1762.

² The date of this bequest is 1632, and the sum of money left, £150.

³ Mrs. Parkinson bequeathed this sum to the Corporation in trust, in 1635; the interest is now given to the Grammar School.

⁴ There appears to be an error in the name; for Mr. Lawrence Senny's bequest see below. In 1533 William Senny gave the Corporation £100 on condition that they ordered a special sermon to be preached quarterly at St. Lawrence's Church, and that 1/- each should be given on every occasion to fifty poor people who attended the service.

Mr. Alexand. Rosse,¹ to the Poor, All S^ts Parish, 50s. ; preacher, 10s. ; Christmas Eve.

Mrs. Cath. Reynolds,² to 80 Poor : their names to be register'd every year ; to be paid on Candlemas Day.

Mr. Paul Mercer,³ to the common Poor of the French and English Churches of the Town, on S^t Philip and Jacob and All S^ts Day, each day £3.

Mr. Geo. Gollop,⁴ the Int^t of £100 for ever, to provide 8 Cloth Gowns, 4 for men and 4 for women, on Sep^r 1st.

Mr. John Cornish,⁵ £7 : 10 : 0, for 7 Cloth Gowns for poor people, Sep^r 6.

Mrs. Avice Knowles,⁶ to place two Town born children Apprentices by the Justices yearly, £5.

Mr. Pet^r Seale, sen^r,⁷ £5, to place two poor Boys Apprentices yearly.

Mr. Pet^r Seale, jun^r,⁷ £5 yearly, to place two poor children Apprentices for 7 or 8 years ; one of w^{ch} Children is to be of S^t Lawrence Parish, if there be any fit.

Mr. Jacomyn,⁸ to 100 poor yearly, £5.

Mr. Rich^d Cornelius,⁹ to 50 Poor at St. Lawr. Church, £2 : 10 : 0.

ALMES HOUSES.

A.D. 1564.—The Almes Houses at St. Mary's¹⁰ were built for the sick people ; in another place it is said for persons at any time sick of the Plague.

¹ For Dr. Ross, see below, under Free School. A special sermon was to be preached on Christmas Eve from the text, "Blessed are the poor in spirit, for theirs is the kingdom of Heaven."

² The sum of £50 to provide this gift of 80/. was left to the Corporation in 1615, and they agreed to distribute it to eighty poor people on Candlemas Day, or the Feast of the Purification of the Virgin, February 2nd. It is now paid to the Grammar School.

³ Mr. Paul Mercer died in 1661. The £3 is divided in the proportion of £2 to the poor of the English Churches, and £1 to those of the French.

⁴ For George Gollop, see above, "Of the Burgesses." If this notice refers, as is most probable, to the same person mentioned there, who was fined for refusing to provide himself with a scarlet gown, it would seem that he had an antipathy to bright colours, for these eight gowns were to be of "some sad colour."

⁵ John Cornish died in 1611.

⁶ This bequest was made in 1634. The interest on the £50 is now given to Taunton School.

⁷ Both these legacies are also now paid to Taunton School.

⁸ This money is now devoted to the Grammar School.

⁹ This Richard Cornelius is probably the same person who in 1643 paid £100 on condition that he should henceforth be excused from holding the office of mayor, or any other office. The family of Cornelius was prominent in the town ; the name occurs very frequently among the various lists of officials.

¹⁰ The Alms Houses in St. Mary's were built by Richard Butler, the Mayor in 1564, aided by charitable gifts from other townspeople ; they were two in number and were situated on the north side of St. Mary's Churchyard. It was to the inmates of these that Lawrence Sedy directed his bequest of 40/- a year to be given.

A.D. 1639.—Mr. Lawrence Sendy gave 40s. a year to be paid to the sick infected Poor at the Almes Houses, if any be there, if not, to any Poor of the Town. Two Wardens are order'd to be chosen to receive this money of the Town Steward six days before Christmas and Easter, and to distribute it at St. Lawrence Church.

A.D. 1720.—It was order'd that the church Wardens of St. Mary's Parish do not place any poor in the Almes Houses without the consent of the Corporation.

This is all that I find concerning them. There were other Almes Houses in East Street, of w^{ch} I have met with no Account. The scite of these last was very lately granted away by the Corporation to a person¹ who has built some dwelling Houses there, which he calls York Buildings; the Houses fronting the Street stand upon the Almes House Ground.

The condition of this Grant was that he should build other Almes Houses, which he did on part of the ground belonging to those at St. Mary's.

THE FREE SCHOOL.

The first mention that I have met with of a Free School in this Town is in the Journal A.D. 1549, or 2 Edward VI, when it was order'd that the schoolmaster's salary shou'd be £10 a year, and each Town Boy shou'd pay 6d. a Quarter, and every other Boy 16d. a Quarter, according to the Order of Winchester (probably the Bishop).

But K. Edward VI, by his Letters Patents, dated at Westm^r, June 4, in the 7th year of his Reign (at the humble Petition of the Mayor, Bailiffs and Burg^s of the Town and County of Southampton, for erecting and establishing a Grammar School in the s^d Town and County of Southampton, for the Institutⁿ and Instruction of Boys and Youths in the s^d Town), of his special Grace, certain knowledge, and meer motion, will'd, granted and ordain'd that from thenceforth there shou'd be one Grammar School in the s^d Town and County of Southampton, w^{ch} shou'd be call'd the Free Grammar School of the Mayor, Bailiffs and Burg^s of the s^d Town and County of Southampton,

¹ The person mentioned was a certain Isaac Malortie; the dwelling houses erected by him faced East Street. He built five new alms houses adjoining the original two, and for a time they were allotted to the poor of the respective parishes, two for Holy Rood, two for All Saints, and one for St. Lawrence. In 1830, as the site at St. Mary's was required for the new workhouse, the alms houses were transferred to Grove Street, where an ancient stone bearing the initials of Richard Butler, the founder, and the date 1566, can still be seen on the wall between the first and second houses, having been transferred from the original buildings.

to endure for ever, for the Education, Institution and Instruction of Boys and Youths in Grammar. And by his s^d Letters Patents, erected, created, ordain'd and founded the s^d School to continue for ever, De uno Magistro Pædagogo, et uno Sub-pædogogo sive Hypodidascalo, *i.e.*, of one Master or Teacher and one under-Teacher or Usher. And that his intention might take the better effect, and that the Lands, Tenements, Rents, Revenues and other things to be granted, assign'd and appointed for the sustentation of the s^d School might be the better govern'd for the continuance of the s^d School, he will'd and ordain'd that from thenceforth the Mayor and Bailiffs of the s^d Town and County of Southampton for the time being shou'd be and shou'd be call'd the Governors of the Possessions, Revenues and Goods of the s^d School. And therefore he assign'd, elected, nominated and constituted his beloved in Christ, John Capelyn, then Mayor, and Rich^d Hawkins and Nich^s Capelyn, then Bailiffs of the said Town and County, to be the first Governors, to continue as long as they shou'd be Mayor and Bailiffs; and that the s^d Governors shou'd be a Body Corporate and Politick for ever, by the name of "The Governors of the Possessions, Revenues and Goods of the Free Grammar School of the Mayor, Bailiffs, and Burgesses of the Town and County of Southampton."

And he accordingly incorporated the s^d Mayor and Bailiffs by the s^d name, and ordain'd and granted that they shou'd have perpetual succession, and be capable of having and receiving from the King or any other, Lands, Tenements, Hereditaments, etc., with Licence to purchase Mannors, Messuages, Lands, Tenements, Rectories, Tythes, and other Hereditaments, not exceeding the clear yearly value of £40. So that they be not held of the King in Capite, or by Knight's Service, or by Socage in Capite.¹ The Statute ag^t giving Lands in Mortmain or any other Statute, Act, Ordinance or Provision to the contrary notwithstanding.

What has been done in consequence of this Patent will appear by the following Extracts from the Journals:—

The same year that the School was established by Charter as above, Tho^s Mille and Will^m Britten, executors of John Capon, Doct^r of Divinity, paid to the Corporation £100, being a Legacy left by Dr. Capon, for w^{ch} they were to pay £10 a year to the

¹ "In capite," the tenure by which tenants-in-chief held land from the king.

"Knights' service," the ordinary feudal tenure under which a fief was held, on the condition that its tenant should furnish to the king one fully equipped knight for 40 days each year.

"Socage in capite," a tenure of land by or for certain inferior services to be performed to the lord,

Schoolmaster, and by way of Security for the payment, they convey'd to the s^d executors certain Houses describ'd as under : West Hall¹ and its appurtenances ; A House or Tenement situate in All S^m Parish,² on the west side of Inglische Street, between the s^d street on the East, and the Passage between the Walls and the Garden of the s^d Tenement on the West, and a Tenement belonging to the Town on the south, and a Tenement late Tho^s Lyster's and part of the s^d Passage on the North ; And two other Tenements in Holy Rhood's Parish in Inglische Street, namely : One Tenement³ on the Est side of the street, having on the East the Passage between the Walls and the Garden of the said Tenement, the Street on the West, the Tenement of Rich^d Cowart on the South, and a Tenement belonging to God's House on the North ; And another Tenement in the Inglische Strete aforesaid, late in the Tenure of Rob^t Arington, lying on the west side of the s^d strete, between the s^d strete on the East, and a Tenement and Garden of the s^d Town, being in the Parish of S^t John, on the West, and a Tenement late in the Tenure of Rob^t Sparke on the south, and a Tenement of the s^d Town late in the occupation of Will^m Leake on the North. And the Executors above nam'd re-conveyed these Tenements to the Mayor and Bailiffs, as Governors of the School and its Possessions, &c.

A D. 1559.—The Scole Master to have £20 a year for teaching,⁴ and £6 : 13 : 8 for reading a Lecture in Divinity once-a week, but we hear no more of this Divinity Lecture.

A.D. 1561.—Mr. Tho^s Digenson was chosen Schoolmaster.

A.D. 1569.—Mr. John Horlock⁵ was chosen.⁶

¹ West Hall, see below.

² Here is a marginal note :—"Mr. Cabot's House," underneath which is written in pencil, "Now Mr. Rogers, Seedsman, 1821."

³ Dr. Speed has written in the margin here, "The House where Mrs. Carter now lives"; and in pencil in the same hand as above is inserted "Now Payne's, 1821."

⁴ The Journal (1549) states that the salary was to be £10 a year; perhaps the fees of 6d. and 16d., respectively, made up the amount to £20. The first master, Robert Knaplocke, who was appointed in 1554, received £10 salary and £3 : 6 : 8 for board.

⁵ John Horlock was given £6 : 13 : 4 for reading a lecture in Divinity once a week, in addition to his salary of £10.

⁶ Although Dr. Speed makes no mention of one of the most distinguished masters the Grammar School ever had, at the end of his volume is a note written in an entirely different hand, and on a small piece of note-paper; it reads as follows :—"Dr. Hadrian Saravia, born at Hedln in Artols—came to England in 1587 or 1588, was appointed master of the free grammar School at Southampton—was successively promoted to a Prebend in the Churches of Gloucester, Canterbury and Westminster. He lived to the age of 82, and died in 1812. On his monument in the Cathedral of Canterbury he is styled 'Vir in omni literarum genere eximius, pietate, probitate, gravitate et suavitate morum insignis, scriptis clarius, fide plenus, et bonis operibus dives valde.' See Dr. Zouch's 3rd Edition, page 416, of *Walton's Lives of Donne, Wotton, &c.*"

Saravia must have arrived in England before 1587, for he was master of the Grammar School in 1576. There is a notice under February of that year to the effect that "Mr. Adrian" was paid 20/- for

A.D. 1583.—Mr. Will^m Davison was chosen Schoolmaster, to be put out at a year's warning, if the Meyre and his Brethren think fit. To have £20 a year Salary, and no farther allowance for an Usher.

A.D. 1594.—The Meyre and his Brethren appointed an Usher, and assign'd him £10 a year out of the Master's Salary.

A.D. 1598.—The Scole Master was call'd before the Meyre and his Brethren, Mar. 16, and warn'd to provide otherwise for himself by Midsomer next, they being minded to furnish the place with a sufficient man.

A.D. 1600.—Mr. Rich^d Munn was chosen, recommended or approv'd by the Bp. of Winchester. To have £20 a year; not to quit it under a year's notice, but to be turn'd out at half a year's warning.

A.D. 1611¹.—Mr. Twiste was chosen.

A.D. 1616.—Mr. Alexander Rosse² was chosen, being recommended by the E. of Hertford; not to quit under six months' notice.

N.B.—A.D. 1654, the above gentleman gave £50 to the School, for w^{ch} the Corporation agreed to pay £5 a year to the Master, out of the Rents of the Petty Customs.

"his charges and palene in his tragedie," evidently referring to some play acted by the boys. Also in 1577, "Paid for liij yardes of broads cloth for a gown for Mr. Adriaue Saravia the schoolmr at 1x the yarde xxxvj^s."

One of Saravia's pupils was Nicholas Fuller, the most renowned critic of his age, who was born at Southampton in 1557, and of whom it was said that "he was so happy in pitching upon useful difficulties tending to the understanding of the Scriptures that he surpassed all the critics of his time."

Saravia was a great theologian and scholar. He was the author of a tractate on the Eucharist which caused much discussion, and was among the number of scholars employed on the Authorised Version of the Bible, 1611. Izaak Walton remarks that he was an intimate friend of the celebrated Richard Hooker—"they began a holy friendship increasing daily to so high and mutual affections that their two wills seemed to be but one and the same."

Saravia was closely connected with the French Church. From its annals we gather that his parents were settled in the town in 1568, among the refugees who came to England from the Netherlands, Normandy and the Channel Isles. In 1570 the wife and servant of "Monsieur Mestre Adriaue Saravia" are mentioned among those admitted to the Lord's Supper, and in the next year Saravia is described as "ministre" in an entry recording his presence as witness at a baptism. In another baptismal entry he is also mentioned, but not as minister. We know from other sources that in Jersey, where he had taught in a school, he had preached to Walloon exiles, and it is probable that he officiated occasionally as minister in Southampton.

1 During his headship, in 1612, a new Bible was bought at the cost of 10/-, and was chained to the school.

2 (See also above, "Charities"). Alexander Ross, one of the most voluminous authors of his day, was born in Scotland about 1590, and died in 1654. Butler, in *Hudibras*, immortalises him thus:—

"There was an ancient, sage philosopher
That had read Alexander Ross o'er."

This "sage philosopher" must have been a man of leisure, for Ross produced more than thirty works, some of which are of a considerable length. Among them is an attack on Sir Thomas Browne's *Religio Medici*, which he called *Medicus Medicatus—or the Physician Healed*; he also published a *Refutation of Dr. Browne's Vulgar Errors*. His best known work is *A View of all Religions*, the first compilation of the kind in English; and his most remarkable book is *A Cento on the Life of Christ from the poems of Virgil*, which, he tells us, he composed before he rose from his bed on winter mornings. This he dedicated to Prince Charles; it consists of thirteen books and contains more than ten thousand hexameters. Ross was Rector of All Saints; Charles I presented him to the living of Carlsbrooke and made him one of the royal chaplains.

A.D. 1624.—Mr. Tho^s Wareham was chosen.

The same year Edw. Reynolds, Esq^r, left £20 for the benefit of the Scholl Master; the Corporation took the money to pay the Master 25^s a year.

A.D.—Mr. Butler¹ was chosen.

A.D. 1674.—Order'd that Mr. Butler, for his neglect of the Free School, shall have no more Salary, unless he amend.

The same year Mr. Butler, not giving any satisfaction, the Free School was taken into the Town's hands, and the next year Mr. Butler resign'd.²

About this time a set of Statutes³ for the School were sent under the Episcopal Seal of the Bishop of Winchester.

A.D. 1675.—Rev^d John Pinhorne⁴ was chosen.

A.D. 1690.—Rev^d Rich^d Pocock was chosen.

This Gentleman put the School upon its present footing. It had been allways kept before at a place call'd the old Free School,⁵ over against God's House, where Silk Throwsters now work. But A.D. 1696, Mr. Pocock enter'd into an agreement

1 Mr. Thomas Butler was chosen in 1660; he was vicar of St. Michael's, and held, too, the living of Millbrook. (See Chap. XII.)

2 The Rector of St. Mary's (Dr. Clutterbuck) interceded for Mr. Butler, but only succeeded in obtaining for him a quarter's salary in advance on his resignation, on account of his "good report in the town."

3 These statutes bear the seal of the Bishop of Winchester, and are dated Feb. 11th, 1674-5; some of them are very interesting and throw light on the customs of the day, e.g., the boys were to meet the master or usher every Sunday or holy day morning and follow him "decently and orderly," two and two, to Holy Rood Church, where some were required to take notes of the sermon, and on the following Monday expected to reproduce their notes. One of the prepositors (who were chosen from the best scholars) was required to watch the boys in church and report on bad behaviour.

School hours were both longer and earlier in these days,—in summer from 6 a.m. till 1, in winter from 7 a.m.; and four hours' work was done in the afternoon, from 1 till 5. Thursday afternoon was a half-holiday, but the boys had to work till 3 o'clock; on Saturdays they were released at 11. Recreation might sometimes be granted on Tuesday afternoon on condition that exercises were set for the next day, and if "a person of quality or learning" desired it.

The length of holidays then could hardly have given parents cause for complaint; the school was closed for a month at Christmas, and for ten days at Easter and Whitsuntide respectively; holiday tasks were always set.

The subjects studied were exclusively Classics. A long list of Greek and Latin authors was given, from which the masters were to choose what they deemed fit; the scholars in the two highest classes were required to speak Latin.

4 Pinhorne was Rector of All Saints, and afterwards he was transferred to Eling, where he died in 1714. He is said to have early discovered the abilities of Isaac Watts, who was a pupil at the Grammar School for ten years, and to have paid particular attention to him, so that when Isaac left the school in 1690 he was proficient in Latin, Greek, Hebrew and French; he showed his gratitude to Pinhorne by addressing to him a Pindaric Ode in Latin. Watts was evidently one of the most distinguished of the Southampton Grammar School boys; he attracted the attention of some of the leading men of the town; among others, of Dr. John Speed, the author of *Batt upon Batt*, who proposed to raise a subscription to send him to the University with a view to his entering the Church, but the offer was declined, as he said he was determined "to take his lot among the Dissenters."

5 The old Free School was a house in Winkle Street; it contained one large room and three smaller ones over a cellar. On the removal of the school this house was let by the Corporation at a rent of £7 per annum and two "good fat capons."

with the Corporation that they were to let him have West Hall¹ for a School House, and he was, with the old Materials, to build, at his own Cost, a House fit for the reception of forty Boarders, with all other conveniences for a School House; he was to have a Lease for 40 years and to keep everything in Repair. And for his assistance in this matter, the Corporation lent him £300,² for w^{ch} he was to pay £10 a year by way of Interest, and £5 a year in the name of Rent for the House. And if, upon his Death or his leaving the School, his Successor shou'd not repay what he had laid out of his own money upon the House, then he, or his Executors, were to enjoy the House to the end of the Term of the Lease.

A.D.—Rev^d Will^m Kinsman was elected Schoolmaster on Mr. Pocock's death; upon the Terms of Mr. Pocock's Lease.

A.D. 1716.—Notwithstanding the Covenant for the Master to repair, the Corporation repair'd the Schoolroom only.

A.D. 1725.—They did the same.

A.D. 1736.—Rev^d Will^m Scott³ was chosen, upon the Death of Mr. Kinsman; and the Lease to Mr. Pocock expiring about this time, a new one was drawn for Mr. Scott, but not executed at that time by him.

A.D. 1767.—Rev^d Isaac Hodgeson was chosen, upon the Death of Mr. Scott. The Corporation put the House in Repair, and granted him a Lease of it with a Covenant for him to keep it in Repair; and they remitted the payment of £15 a year mention'd

¹ West Hall was an old and well known house situated between French Street and Bugle Street; it belonged originally to Gervaise le Riche, the founder of God's House. There is a curious document extant, dated 1303, which describes its partition among five different persons, the co-heirs of Thomas le Halveknyght; one of them, Joho, was to inherit the palated chamber with the cellars below, a room called La Garderobe, the great gate opposite St. John's Church, and the courtyard and fountain within the gate. The hall was to be shared between two of the legatees. Each of the five had to pay 4/- to the Warden of God's House, and 7½d. (the fifth was allowed to omit the farthing) to the Prior of St. Denys. In the fifteenth century West Hall belonged to the Corporation, who paid a quit rent of 20/- to God's House, and part of it was possibly used as a public building, for in the Steward's Book of 1475 is an entry to the effect that two men were paid 2d. for carrying the "scoldyng stoole fro the West Hall to the pillery." In 1537, when trade in Southampton was very bad and the payment of the fee-farm in arrears, the Mayor, Thomas Lyster, fearing lest the town's liberties might be seized, borrowed £200 from a foreign merchant, giving West Hall as a security.

² About £120 was subscribed by private persons, among whom were most of the members of the Corporation. Pocock was thus enabled to provide for the scholars a three storied house consisting of nineteen rooms, to which was added, at the back, a schoolroom 40 feet long. Sir Henry Englefield, in his *Walk through Southampton*, 1801, says the free school was removed "to its present site, which was an ancient mansion known by the name of West-hall. The dining room is a very handsome room, with a richly carved Gothic chimney piece, and a row of windows behind a wooden arcade of a singular form. The ceiling is of stucco in compartments. The whole of this room is at least as old as the reign of Henry VIII."

³ During Scott's headship it was agreed that the school fees should be raised. Boys born in the town were now to pay 20/- a year, with an extra payment of 5/- to the master, 2/6 to the usher, and 1/- to the prepositors.

in the Contract with Mr. Pocock, agreeing to pay him a Salary of £30 a year. This is the present State of the School.¹

The Whole Endowment is as under :—					pr. Ann.
The Original ancient Salary from the Corpor ⁿ					£10 : 0 : 0
Dr. Capon's Benefaction	...	...	...	...	10 : 0 : 0
Dr. Reynold's Do.	...	...	...	...	5 : 0 : 0
Mr. Alex ^r Rosse's Do.	...	...	...	...	5 : 0 : 0
Mr. Edw. Reynold's Do.	...	...	...	...	1 : 5 : 0
					<hr/>
					£31 : 5 : 0
					<hr/>

Besides the House and Premises fairly worth £40 : 0 : 0

It has been allways customary for the Corporation to hold a kind of Visitation² at the School, to examine into Repairs, &c., and the progress of the Scholars in Learning; for proof of w^{ch} they speak Verses, and other exercises publickly in the School.

This Visitation is held on the breaking up day at Whitsontide.

It may admit of a doubt whether it be right to grant the Schoolmaster a Lease of the House for a certain Term of years, for if they shou'd see occasion to displace him from the School, w^{ch} has sometimes happen'd, they cannot oblige him to quit the House while the Term of his Lease lasts.

THE TOWN SEAL.³

The earliest Patent I have seen for the Town Arms was granted 17 Elizabeth, in the Preamble of w^{ch} it is set forth that they had born Arms ever since their incorporation by Henry VI, and his confirmation of the Priviledges granted them by Henry II.

The Arms are blazon'd in this Patent as follows :—Per Fesse silver and Gules, three Roses counterchanged of the Feild. The Crest and Supporters hereafter following, that is to say: upon the Helm on a Wreath Silver and Gules, on a Mount Vert, a

¹ A Southampton Guide, published 1774, says of the school, that "it is now in much better repair than for many years, and its reputation is greatly raised by the diligence, attention and learning of the present master, the Rev. Mr. Mant." Mr. Mant succeeded the Rev. Isaac Hodgson in 1770, and continued in the post until 1795; he became Rector of All Saints' in 1793.

² This visitation was made on the Thursday morning before the Whitsuntide holiday. The mayor, bailiffs, members of the Corporation, and incumbents of the churches of the town went to the school to inquire into the observance of the statutes; they were entertained by scholars, whom the master appointed, "with oracons and declarations in Greeke and Latine, or what other exercise the master should enjoin."

³ There are several seals belonging to the Corporation. Dr. Speed does not mention the oldest of them, which dates from the beginning of the thirteenth century. It is circular in shape; the device on it is a vessel with one mast, in full sail, with an embattled tower in the stern; it bears the words "Sigillum Villa Suthamptonia."

Castell Gold, out of the Castell a Queen in her Imperial Majesty, holding in the right hand the sword of Justice, in the left hand the Ballance of Equity, mantled Gules and dobled Silver. The Supporters, out of two Ships proper upon the Sea, standing in the fore part of the Ships, two Lions rampant, Gold.

This of three Roses is us'd as the Mayor's Seal of Office; but the great Seal of the Town¹ is a Ship under Sail; on the Reverse, the outside of a Church with the Virgin Mary in a Niche, as upon some ancient English Coins.

Before the above Patent, the Mayor's Seal of Office was a small Bark with the Sails furl'd.

THE COMMON.

What is now call'd Southampton Common was formerly part of the Mannor of Sherley or Surlie, and 12 Henry III, or A.D. 1228, a Fine² of it was pass'd between the Town of Southampton and Nicholas de Surlie, Lord of that Mannor, in w^{ch} the Bounds of it are describ'd as under :—

Sicut se extendit in longitudinem a Cornera et Fossato Terræ Will^{mi} Wollgar usque Kottethorne, sicut regalis via veniens a Ponte Achardi ducit ab ipsa Cornera et Fossato Will^{mi} Wollgar usque ad prædictam Spinam de Kottethorne quæ est super regalem viam,

As the land stretches in length from the Corner and Ditch of W^m Wollgar's land as far as Kottethorne, as the King's highway coming from Achard's Bridge leads from the corner and Ditch of W^m Wollgar to the s^d Thorn Bush of Kottethorne,³ w^{ch} is upon

¹ The obverse of this "great seal of the town" was presented in 1587 by Richard Etner, who had been a fishmonger in the town and had left Southampton for London. It shows a fine three masted ship in full sail (the earlier seals have ships of but one mast, ships with more than one being unknown in England before 1514); on the forecastle are two men blowing trumpets. The design on the reverse is the same as that on a fourteenth century seal, viz., three canopies, under the central one of which is a figure of the Virgin holding her Infant Son, and on either side is an angel with a censer. The legend is "Mater Virgo Del tu miserere nobis."

The seal with the three roses, which Dr. Speed says is used as the Mayor's seal of office, is not the earliest so used. There is one whose date is about 1300, which is circular in shape and 1½ ins. in diameter, bearing the device of a vessel on the waves, in which, under a canopy, is a figure of the Virgin and Child. On the reverse the figure of Christ holding a long cross in His left hand, while His right is raised in benediction. It bears the inscription "S^mmajoratus d^suthamptonia."

There is another seal of a slightly later date, to which Dr. Speed is referring here.

² This fine or agreement contains the first mention of the Common. The occasion of its being made was a contention which arose between Nicholas of Shirley, the lord of that manor, and the burgesses of Southampton, about some houses situated in the town; the dispute was settled by Nicholas making over to the town a portion of his property lying outside the boundaries. It is not possible to identify the boundaries in the thirteenth century with those of to-day, but doubtless the extent of the Common remains much as it was in the sixteenth century.

³ Kottethorne.—Cutthorn, see note, Chap. IV.

et etiam totam pasturam in latitudinem infra regalem viam quæ ducit a prædicta Spina de Kottethorne usque ad Crucem de Burlston, quæ est super magnam viam Hantonæ et Wintoniæ, et totam pasturam sicut extendit se in longitudinem a prædicta Cruce de Burlston usque ad Corneram et Fossatum Terræ quæ fuit Johannis Chopin sicut magna regalia via ducit, veniens a Wintonia usque ad Hantonam, et totam pasturam sicut se extendit in latitudinem ab ipsa Cornera et Fossato Terræ quæ fuit Johannis Chopin usque ad Corneram et Fossatum supradicti W^{mi} Wollgari. Ita scilicet quod tota Pastura inclusa infra prædictas tres regales vias, extra Fossata prædictorum Willⁱ Wollgari, Johannis Blankvilli, Amisii Fortrey et Terram quæ fuit Johan^s Chopin, Arboribus plantata tempore quo hæc finalis Concordia facta fuit remaneat prædictis Burgensibus, &c. Pro hac autem Juris recognitione, et Pasturæ quieta Clamatione dederunt supradicti Burgenses præfato Nicholao decem Marcas Argenti.

At the same time it was agreed that the Cattle of neither Party shou'd come upon the others Common; but that each shou'd have a free passage to and from their own Common.

A.D. 1549.—It was declar'd that Northam has no right of Common.

the highway, and allso all the Pasture in breadth within the Highway that leads from the Thorn Bush of Kottethorne as far as the Cross of Burlston,¹ w^{ch} is on the great road between Hamton and Winton; and all the Pasture as it stretches in length from the s^d Cross of Burlston to the Corner and ditch of the land w^{ch} was John Chopin's as the great high Road leadeth that comes from Winton to Hampton, and all the Pasture as it stretches in breadth from the Corner and Ditch (or Fence) of the Land w^{ch} was John Chopin's to the Corner and Ditch (or Fence) of the aforesaid W^m Wollgar. So that the whole Pasture included between the s^d three Highways, clear of the Fences of the forenam'd W^m Wollgar, John Blankville and Amis Fortrey, and the land w^{ch} was John Chopin's w^{ch} was planted with trees when this Fine was pass'd, shall remain to the s^d Burgesses, &c. And for this acknowledgement of their Right, and quitting Claim to the said Pasture, the s^d Burgesses paid to the said Nicholas Ten Marks of Silver.

¹ Burlston.—See Chap. IV.

A.D. 1570.—An Order was made that no Porteswood people shou'd put any Cattle upon the Common, till Mr. Knyght and Lady Dawtrey¹ show their Right.

A.D. 1571.—Order'd that a Controversy with Mr. Whitehead (Lord of the Mannor of Shirley, from whom it has been ever since call'd the Mannor of Whitehead's Wood) about the Common, and allso with Lady Dawtrey on the same subject, shou'd be try'd at Law.

About the same time several people of Portiswood and Hyll paid Fines for trespasses of their Cattle upon the Common.

There are several Affidavits w^{ch} prove the Town's Right to the Common,² exclusive of St. Denis (*i.e.*, Portiswood), and allso the Copy of a Lease by w^{ch} the Town granted a part of the Common to the Lord of St. Denis for 60 years on condition that he shou'd fence it.

A.D. 1577.—The Common on the Heath, from the end of Hill Lane to the Cutted Thorne, was hedg'd and ditch'd.

A.D. 1624.—The Cowherd's House was built, and an Order was made for enclosing and fencing the Common.³

A.D. 1679.—Order'd that the Cowherd⁴ maintain Cut-thorn Gate and Bannister's Gate, and the fences from Chilworth Gate to the Corner, and so half way to Portiswood, and that he plant Elms at Cut-thorne.

¹ Lady Dawtrey was the owner of Porteswood Manor. On the dissolution of the monasteries Henry VIII granted St. Denys' Priory, and with it Porteswood Manor, to Francis Dawtrey. The Dawtrey family seem to have had many disputes with the authorities over the right of common. In 1566 Sir Francis Dawtrey was presented for putting on the Common twenty head of cattle, and for refusing to remove them when warned; in 1569 Lady Dawtrey had to pay 4d. for every sheep she had sent there, to the number of six score; and again, the same year, she was presented for keeping there "divers beasts to the number of 40," wherefore she was "amerced to pay 6d. for every beast so offending." The following year the cowherd made an affidavit to the effect that Sir Francis had tried to bribe him to allow his cattle to be sent to the Common.

² Only resident householders who paid "watche and warde" had rights of common, and these were carefully limited so that the land should not be overcharged. No burgess was to put there more than two animals at once; if he sent two cows he could not send a horse also, but he might send one horse and one cow. In 1566 eight men were appointed, two from each ward, as drivers of the Common, whose office it was to ascertain once in every fourteen days if any townsman was exceeding the number of animals allowed; and in order to facilitate their work, all cattle put on the ground were required to be marked with the town mark.

³ The cutting down of bushes was forbidden, for the bushes were a "greate suckour for the catell and shadowy for them." In 1577 the inhabitants who made use of the Common were commanded to help defray the cost of enclosing it, which amounted to £40, by paying for every cow 6d. and for every "horsebeast" 12d.

⁴ The cowherd was required to live on the Common (hence the name, "The Cowherds," applied to the inn which possibly occupies the site of that official's house) and his chief duty was to drive the cows to their pasture. The owners were expected to deliver their cattle into the cowherd's care at Houndwell Cross, at 6 o'clock in the morning, in order that he might take them to the Common; he was to start punctually even if all the animals were not ready, the late ones having to be driven by their owners, who would be fined 2d. if any were found straying. The cowherd was to be paid by the owners, who, when negligent in giving him his due remuneration, were to be fined 2d. a week, and these fines to go toward his wages. Another duty required of him was that he should bring cows to be milked at the place appointed, and he was strictly charged not to accept from any man more than two animals.

This brings the Common to its present state, except the Brick kiln,¹ of w^{ch} I have seen no account.

A.D. 1549.—Several persons made oath that they knew Mr. Baker's Close, Mr. Rigg's Close, Mr. James's Close,² the two Chauntry Closes,³ Houndwell,⁴ King's Londe,⁵ Hogge Londe,⁶ Maudelin two Fyldes,⁷ Lobery Mead,⁸ the Closes in St. Mary's Lane,⁹ and where the Prior of S^t Denis made his Garden,¹⁰ common to the use of the Catell and Beasts of the Comons of the Town, after the Cropp was taken away, and allso the Town Ditches¹¹ comon throughout the year.

The Town Ditches are leas'd out by the Corporation as part of the Waste, but how the Town came to loose their Right of Common in most of the other Lands above mention'd I cannot learn; they have it still in the same form in Houndwell, Hogge Londe, and in Maudelin two Fyldes, but in none of the rest.

¹ The Brick House or Kiln is mentioned in the Indenture of Roger Pedley's Waterworks (see Appendix C). It was situated on the Common, a little to the west of the path leading from "The Cowherds" to Chilworth Gate, and on a line with the Belmoor Gata. The town brickmaker paid for the right of digging clay for his bricks; in 1582 he stated he held the lease for £3 : 6 : 8; in return for this he was expected to provide the townspeople with bricks, the size of which was regulated by statute. He did not always fulfil these conditions; in 1574 a complaint was made that he worked for "gentlemen and others of the country," and that the townspeople could not obtain a sufficient supply for their necessary business. Sometimes he tried to evade the rules as to the size of the bricks and made them smaller than was lawful. Frequently presentments are found in the Court Leet Records against him, because he omitted to fill up the holes from which he had taken his clay; also, because his bricks were not properly tempered in the winter, and were burnt so slackly that they quickly decayed. In 1623 Thomas Smith, the then brickmaker, was for this offence fined £3 because he grew "worse and worse."

² It is difficult to ascertain the exact position of the first three closes mentioned, but judging from the fact that Mr. Riggs was presented in 1550 for not keeping his hedge in St. Mary's parish properly trimmed, it may be concluded that his close was there, possibly bordered by the hedge in question.

³ The "two Chauntry Closes" were part of St. Mary's glebe land, lying between the church and the Itchen.

⁴ Houndwell included what is now known as Palmerston Park and the park to the south of it.

⁵ Kingsland is now completely covered with houses; it is bounded by the Cricket Park and New Road, the Palmerston Park and St. Mary's Street, and was given by Richard I to the canons of St. Denys. It was not thickly populated till within recent times; in 1779 there were only seven houses built upon it.

⁶ Hoglands, now occupied by the Cricket Park.

⁷ "Maudelin two fyldes," lying to the east and west of Above Bar; the east, now the East Park, and the west, West Marlands, the word "Marlands" being a corruption of Maudelin lands. Another name by which these fields were sometimes known was East and West Garston, which probably means enclosed grass-land. They belonged to the Hospital of St. Mary Magdalen, for an account of which see Chapter XV.

⁸ Lobery Mead, now Grosvenor Square and the Polygon.

⁹ "The closes in St. Mary's Lane."—These must have been situated near St. Mary's Road. St. Mary's Lane was the name given to the thoroughfare leading from St. Mary's Church to Padwell Cross, which stood in the Avenue, between the west end of Padwell Road and Rockstone Lane.

¹⁰ "Where the Prior of St. Denis made his garden."—The Canons of St. Denis held Portswood Manor by a grant from Richard I; in the sixteenth century the south-west boundary of this estate was near Padwell Cross, so that it was probably close to this that the garden was made.

¹¹ Town Ditches, see Chapter V.

There is another Article of Common belonging to the Town, namely the Field call'd God's House Meadow,¹ w^{ch} is common from Lammas to the Purification,² to God's House the rest of the year, and the Salt marsh,³ w^{ch} is common all the year.

This Salt marsh is surrounded with a Bank thrown up to preserve it from being overflow'd by the Sea, and the repair of this Bank has ever been, and is still, a subject of so much contention that it will not be amiss to give a full explanation of this matter. The Piling at the bottom of the Town Walls is often call'd in the Journals, and in a very bad translation of the Charter, Sea Banks. The Latin Charter has no such meaning,⁴ the Piling of the foundation of the Walls being part of the Fortifications, the Repair of that lies upon the Corporation alone; and because this Piling is sometimes call'd the Sea Banks, some of the inhabitants have, allways pretended that the Corporation alone are bound to repair all Sea Banks.

The Bank in question is allways distinguish'd by the name of the Sea Bank at the Salt mershe, of w^{ch} I shall now give an account.

18 Henry VII, or A.D. 1503.—The people of God's House laid claim to the Salt Mershe, and several other Lands adjoining thereto. The dispute was referr'd to Arbitration, and the Award adjudg'd God's House Meadow and the Salt Mershe to the Town, in the form above mention'd.

The Mershe being part of the Waste of the Town was the property of the Corporation, to whom it is granted by their Charter⁵ 2 Henry IV, "quod ipsi commodum suum facere

¹ God's House Meadow, afterwards known as Porter's Mead, now Queen's Park.

² Lammas, Aug. 1st. The Purification, Feb. 2nd.

³ The Salt Marsh comprised the land bounded on the south and east by the sea, on the north by Marsh Lane, and on the west by some gardens known as "Three Fields," which belonged to the Warden of God's House. Near Cross House, to the south-east of St. Mary's Church and Gardens, was a smaller piece of ground known as the Little Saltmarsh.

⁴ The Latin words used are *littora maris*, which mean simply "sea shores."

⁵ The Charter reads as follows :—"We have also of our special Grace, granted for us, our heirs &c. as much as in us lies to the said Burgeesses, that they may take to themselves for ever the profits of all Wastes within the limits and Bounds of the Liberties of the said Town, in Aid and Assistance as well of the Payment of the annual Farm Rent as for the support of the Burtheas which from time to time fall upon the said Town."

Although the matter was not referred to arbitration till 1503, it was said that early in the fifteenth century the Warden of God's House had attempted to deprive the town of part of the Saltmarsh by putting up fences and making enclosures, and that these had been destroyed by the mayor and townspeople; after which the land had remained free until a certain mayor, John Walker, in 1466 made an agreement with the Warden to give up some of the disputed ground to God's House. Fences were again broken down and the disputes continued till 1503, when the agreement was made that the townspeople should use the marsh on condition that they contributed towards the cost of maintaining the sea banks; the details of this are to be found in Appendix G, where is also the naïve answer of the "pore Comyeas."

possint de omnibus vastis infra Limites et Bundas Libertatis ejusdem Villæ.” However, they resolv’d to make no advantage of it to themselves, but propos’d to the inhabitants that they shou’d have a Right of Common there,¹ on condition of their contributing, by a Rate, to the Repair of the Bank that keeps out the Sea from the s^d Salt mershe. To w^{ch} the inhabitants at that time agreed (see the agreement in Appendix G). But as this agreement of the then inhabitants did not bind their Successors, the disputes were reviv’d, and the Corporation try’d every Method they cou’d think of to preserve it for a Common to the Inhabitants, A.D. 1517.

They enclos’d part of it,² to take off a Cropp to pay for the Repair of the Bank, to be common after the Cropp, A.D. 1526. They let it, to be common after the Cropp, and employ’d the Rent upon the Repair of the Bank. But this matter of enclosure occasion’d such rioting and disturbance that A.D. 1549 it was given up.

After this they proceeded to make Rates for it, but they constantly met with so much opposition this way that A.D. 1681

¹ The Salt Marsh was useful to the townspeople in a variety of ways, and the Court Leet tried to preserve it from the injury carelessly done to it by those who “thought only of their own gain.” Archery was practised on it; in 1571 there is an injunction to the “Coward” to keep his animals off it on Sundays and holy days, because every person over the age of seven years was bound by law to learn to shoot; and in 1579 it was ordered that the surface was to be made level and the stones on it cast into pits as a safeguard for the archers’ arrows. The brewers were forbidden to dig for clay on it; the scavengers were not allowed to throw their rubbish on the grass, but to use it in filling up the pits; a man was fined 2/- for burying a horse in a waterpit on it, and commanded to dig up the animal and put it under the ground; hogs were not allowed there, and horses could only be driven there after 7 p.m., to remain till 7 a.m.

In spite of its usefulness the authorities had great difficulty in keeping the bulwarks in good repair; the matter was continually being brought up by the Court Leet.

² “They enclos’d part of it.”—This action led to an exciting scene. The order was given to enclose half the marsh from February till the end of June in order to grow crops, the proceeds of which would help towards the repairs. The townspeople, resenting this infringement of what they considered their rights, rushed to the marsh, broke down the fences, then ran to the Guildhall where the mayor and his brethren were holding the King’s law day, and annoyed the court by their presumptuous and unlawful shouts. Then the rioters, armed with picks and shovels, marched to Holy Rood Church, near which was the mayor’s house, and cried, “If Master Mayor have any more work for us, we be ready.” A few days after, one of the King’s Council came to the town with warrants for the apprehension of the ring-leaders, but the latter had fled; six other persons were seized in their place, taken to London and put in the Marshalsea. The townspeople showed their repentance by repairing the banks and promised amendment for the future if the mayor would only do his best for the unfortunate six. Accordingly a letter was written to Wolsey, then Chancellor of the Kingdom, showing that the commons were sorry for their sad, unlawful deeds, and had shown their sorrow by repairing the banks. Then the prisoners were allowed to return, but were sentenced to sit in the stocks, while the mayor, his brethren and the King’s lieutenant were to walk down the street to give the penitents an opportunity of making their apology, the words of which were prepared for them by the authorities. When the mayor appeared, they addressed him as follows:—“Master Mayor, we have offended the King’s grace and all you, in making a great riot and unlawful assembly, contrary to the king’s laws and the good rules of the town, whereof we acknowledge ourselves guilty, and beseech you and your brethren to be good masters unto us hereafter and to forgive us.” The mayor, in the name of the corporation, pardoned them, assuring them that no grudge should be borne against them, and commanded that they should be taken out of the stocks. The chief offenders were heard of no more after their disappearance, but as they were threatened with eternal banishment unless they returned immediately and submitted, it is most probable that they did return.

they got a Commission of Sewers¹ for this purpose. After the execution of that Commission the same disputes continued, and do continue to this day.²

A.D. 1753.—There was a talk of renewing the Commission of Sewers, to avoid w^{ch} some few of the inhabitants agreed to repair the Bank by a subscription among themselves, w^{ch} they did.

The Equity of this Bank's being repair'd by the inhabitants arises from their being allow'd a Right of Common in the Salt Mershe, w^{ch} the Corporation may, by their Charter, convert to any other use for their own advantage.

MEMBERS OF PARLIAMENT.

This Town, like all others, originally chose their Members of Parliam^t from among the actual Burgesses of the Corporation, w^{ch} Custom was first broke through in this Town about the beginning of the Reign of K. James I; but A.D. 1624, an Order was made by the Corporation that no Burgess shou'd give his voyce for any one to be a Member of Parliament who is not a Burgess of the Town before such Election (in a subsequent Order this is explain'd to mean an inhabiting Burgess), because great inconveniences had happen'd from electing Strangers to be Parliament Burgesses, on pain of forfeiting his Freedom. This was observ'd at first, but the confusion that came on a few years after this interrupted all regularity, and after the Restoration Gentlemen were generally chose; but so much regard is still paid to the old Rule that when any Gentleman offers himself for a Candidate he is usually made a Burgess, tho' it be but an Honourary one.³

They paid their Members of Parl^t according to ancient Custom; the usual Wages was 2^s a day during their attendance, as appears in many of the Stewards' Accompts, but they sometimes paid more, for 1 Henry VII, Tho^s Reynold went from Suthampton to the Parleмент, Jan. 23, and return'd Mar. 8, being six and forty days, and receiv'd for his Parleмент Wages £7 : 13 : 4; this is exactly forty pence or 3/4 a day.

¹ The business of a Commission of Sewers is to repair sea hanks and walls, survey rivers, public streams and ditches and make orders for their improvement. The word "sewer" is derived from the Old French *seuwiere*, meaning a fresh water trench with banks on either side, which will serve as a channel to carry water to the sea and thus preserve the land from inundation.

² "To this day," i.e. 1770. The disputes were ended when, in 1832, the railway company obtained leave to bring their line over the mudlands, and the Marsh Improvement Act of 1844 empowered the Corporation to let the ground on building leases. Then all rights of common were abolished.

³ For Honourary Burgesses see Chapter XI.—"Of the Burgesses."

The Returns of Members have been made by different persons at different times. I have the following Acc^t of them :—

26 Edward I	} return. pr. Ball- ivos manucap- tor ¹ alter Burg.	16 Car. I, The same
1 Henry IV		13 Car. II, Aldermen and Burgesses
2 Henry V		22 Car. II, Mayor, Bailiffs and Burgesses
6 Edward VI, Burg. et Inhab- itantes		30 Car. II, Burgens. et Inhab- itantes
1 Mariæ, The same		31 Car. II, Feb ^{ry} 31, the same
1 Elizabeth, The same		31 Car. II, Aug ^t 31, the same
3 Elizabeth, The same		
15 Car. I, The same		

A.D. 1695.—It was resolv'd by the House of Commons that the Outliving Burg^s,² as well as the Burgesses inhabitants, and other inhabitants paying Scot and Lot,³ have a Right to vote for electing Members to serve in Parl^t for the Town and County of the Town of Southampton. This is the last determination. The returning Officers are the Mayor and the two Bailiffs.

I expected to have been able from the Town Books to have made out a List⁴ of the Members of Parl^t in ancient times, but there are none mention'd before 20 Henry VI, and frequently only one Member, tho' they allways had two. These will serve to prove what is said above, that they allways in those early days chose actual members of the Corporation, or as they are now call'd serving Burgesses.

¹ A mancupator or balleman was surety for the appearance of the elected member in Parliament on the appointed day.

² Out-living burgesses were those who either had once resided in the town and had left it, or non-residents who had been made burgesses for some special reason. In early times residence in the town was required of a burgess, who was supposed to forfeit his burgess-ship if absent for a year and a day.

³ "Scot and Lot."—A scot or tax originally assessed according to the lot or ability of the payer, *i.e.*, a customary contribution laid upon all subjects according to their ability; so people paying Scot and Lot meant whoever were assessed to any contribution.

⁴ Dr. Speed's list is a very incomplete one. From the parliamentary returns it is seen that the town sent members from the year 1295, when the first thoroughly representative Parliament assembled at Westminster, with very few omissions down to the present day. A complete list is given in the Rev. J. Silvester Davies' *History of Southampton*, from which we learn that sometimes in early times no returns were made, *e.g.*, in the fourteenth century no members were elected in 1304, 1307, 1308, 1311, 1321, 1337, 1344, 1353, and 1369, but afterwards returns were made with great regularity; sometimes, however, one member only was returned. By comparing Dr. Speed's list with this, it will be seen that he has many errors, *e.g.*, It appears as if William Soper was a Burgess of Parliament from 1416 to 1457; as a matter of fact he was returned in 1419, 1420, 1421, 1425, 1429, 1430, 1431, 1432, 1433, 1441, 1448, but in eight of the intervening years his place was taken by other burgesses. The same omissions are noticeable in the case of several others mentioned in the list, and in almost every case there were two members where he gives the name of one only.

	20 Hen. VI, A.D.		2 Mary .....1554
	1441	1547	James Stoner
Mayor 1416	Will ^m Soper		13 Eliz. A.D. 1572
	35 .....1457	Mayor 1585	Mr. Croke
1449	John Williams		26 .....1584
	36 .....1458	Sheriff 1589	Tho ^s Goddard
1458	Walter Clarke		The other to be
	1 Edw. IV 1462		nam'd by the E.
Sheriff 1465	Rich ^d Aysche al.		of Leicester
	Ash.		5 Jacob. I 1607
Mayor 1453	Andrew Jamys		S ^r John Jefferey
	8 .....1470		S ^r Tho ^s Flemynge
Mayor 1483	Lewis Gynes		12 .....1614
	12 .....1474		Hen. Sherfield,
1463	Walter Fettiplace		Esq ^r
1471	Rob ^t Bluet		16 Char. I 1640
	14, The same		S ^r John Mill
	1 Rich ^d III 1483	Recorder	Tho ^s Levingston,
1478	Tho ^s Reynold		Esq ^r
	Roger Kellsale		The same year
	1 Hen. VII 1485	Mayor 1622	Geo. Gollop
	Tho ^s Reynold	1624	Edw. Exton
1489	Tho ^s Overey	Commis-	1659
	2 .....1486	sioner	John Lisle
	The same		1678
	3 .....1487		Tho ^s Knollys, Esq ^r
	Samson Norton		Benj ⁿ Newland,
	11 .....1496		Esq ^r
	Tho ^s Thomas		1679
	Master Dawtrey		S ^r Chas. Wyndham
	19 .....1504		S ^r Benj ⁿ Newland
1504	John Flemynge		1685
	25 Hen. VIII 1530		The same
1529	Nich ^s Day		
	25, The same		

About this time the Scot and Lot people claim'd a Right to vote, w^{ch} made the Election of Members of Parl^t no longer a Corporation Affair, and therefore the names of the Members are not enter'd in the Corporation Books after this time.

THE FAIRS.

These are not mention'd in any of the general Charters, but all depend on particular Grants; and first of

TRINITY FAIR.

Henricus Dei Gratia Rex Angliæ et Franciæ Dñus Hiberniæ, Omnibus ad quos præsentēs Litteræ pervenerint Salutem. Sciatis quod nos propter Devotionem quam gerimus ad sanctam et gloriosam Virginem Dei matrem ac propter amorem quem habemus ac diu habuimus ad Villam nostram de Southampton, considerantes quod ex confluentia Subditorum nostrorum et aliorum extraneorū dicta Villa in bonis magis ac magis prosperari et relevari poterit, et ut major in futurum populi confluentia ibidem fieri valeat, ex Gratia nra speciali, ac ex mero motu nostro, concessisse dilectis nobis in Christo Majori, Aldermannis, Vicecomitibus, Ballivis, Burgensibus, et Communitati villæ prædict. nec non W^m Geffery, Heremite Capellæ S^{tæ} Trin-

Henry,¹ by the Grace of God, King of Eng^d and France, Lord of Ireland, to all to whom these present Letters shall come, Greeting. Know ye, that we, for the Devotion we have for the holy and glorious Virgin, the Mother of God, and for the love w^{ch} we have and allways had for our Town of Southampton, considering that by a confluence of our subjects and others, the s^d Town may be greatly improved and advanced in wealth and prosperity,² and that a greater confluence of people may be made there, of our special Grace and meer motion have granted to our beloved in Christ the Mayor, Aldermen, Sheriffs, Bailiffs, Burgesses and Community of the s^d Town, and to W^m Gefferey, Hermit of the Chappell of the Holy Trinity,³ and the Blessed Mary afore-

¹ "This must be Henry VII or VIII, for 11 Henry VI there was no Sheriff." Marginal note by Dr. Speed. It was probably Henry VII, 1496.

² Many complaints were made in the reign of Henry VIII as to the decay of trade; in 1531 the loss of trade was brought forward as a reason for abating the fee farm, which was accordingly reduced.

³ This chapel was situated near the Itchen, a little to the south of what is now Chapel Road. At this time a causeway led to it from St. Mary's Churchyard, and another from Cross-house. Sir Henry Englefield, writing in 1801, says:—"From the church-yard a road not very wide, and bordered on either hand by a deep and muddy ditch, leads to the ancient mill called the Chapel mill, which still has marks of antiquity about it, though its enlargement about sixty years since has left but little of its ancient ornaments, except a flank of the door and part of an arched window. These fragments, however, show that the style of its architecture much resembled the chapel of St. Dionysius at Portswood. The miller's garden was the cemetery of the chapel, and bones are still dug up there."

itatis, ac beatæ Mariæ prædict. Nundinas sive Feriam, apud et juxta capellam S^{tae} et individuae Trinitatis prædictam juxta Villam Suthampton annuatim tenendas in Festo S^{tae} Trinitatis suprascriptæ, et per tres dies immediate post Festum illud sequentes in qua quidē Capella dicta gloriosa Virgo a Christi fidelibus sæpe numero honoratur habend: et tenend: dictas Nundinas, sive Feriam cum libero ingressu et egressu subditis nostris de et ad Nundinas, sive Feriam, prædictas mercando venientibus, præfatis Majori, &c., et eorum successoribus necnon Will^{mo} prædicto indicto Festo, &c.; tenend: quam diu nobis placuerit, in cujus rei, &c.; 19^o die Julii, A^o Rn. 11^o.

said, one Fair to be held every year, at and near the s^d Chapel of the Holy and undivided Trinity, near the Town of Southampton, on the Feast of the Holy Trinity aforesaid, and three days immediately following after the s^d Feast; in w^{ch} Chapel the s^d glorious Virgin is frequently honoured by the Faithfull in Christ. To have and to hold the s^d Fair with free ingress and egress to and from the s^d Fair for all our Subjects coming thither to trade. To hold the s^d Fair by the fores^d Mayor, &c. and their Successors, and allso by the fores^d Will^m, on the Feast, &c., afores^d during our pleasure.

In witness thereof, &c., 19 July, Y^r of our Rⁿ, 11.

The remains of the Chappell here mentioned were standing a few years ago, on the spot where the Miller's House is now built.

The Fair is kept by the Head Bailiff of the Town, who presides in the Fair as Chief Magistrate¹; and half the profits of the Fair are paid to the owner of the Scite of the Chappell.

The Journal for the year 1646 makes mention of a Charter 2 Henry IV, and another 2 Richard III, for holding this Fair; but no such Charters appear.²

¹ The fair was opened by the mayor and corporation. The ceremony in early times was evidently long and expensive, for in 1600 it was ordered that the bare substance should be retained, *i.e.*, the proclamation, after which a pole with a large glove fixed on its top was raised as a signal that business might begin. Then the Senior Bailiff took command as chief magistrate and president of its court. The fair lasted from noon of the Saturday before Trinity Sunday until the following Wednesday at noon, when the mayor ordered the pole and glove to be taken down. During its continuance no one could be arrested in the town.

² Although these charters are not known, it seems most probable that this grant is simply a grant of confirmation. In the charter 1 Edward IV it is ordered that "the said Mayor and Bailiffs shall hear, determine, &c. the Pleas of our Court of Pie Powder in the same Manner Form and Process as these things have been us'd to be heard &c. in the s^d Town in times past," the existence of the court of pie powder (see below) proving that a fair must have been held in the town.

THREE OTHER FAIRS.¹

Elisabetha, &c., omnibus, &c., sciatis q^d nos pro melioratione Villæ nræ Southampton ac Status ejusdem, ac pro publico Bono ejusdem Villæ, DEDIMUS, concessimus, &c., Majori, Ballivis et Burgensibus Villæ South. et Successoribus suis in perpetuum quod ipsi et successores sui habeant teneant, &c., de cetero in perpetuum annuatim infra Villam prædictam et precinctus ejusdem, tres Ferias sive Nundinas Videl^t unam die Martis proxime ante Dominicum communiter vocatum shrove Sunday, duraturam per totum illum diem Martis, ac per duos dies tunc proxime sequentes. Ac unam aliam in die S^{ti} Marci, duraturam toto illo die et per duos alios dies proxime sequentes. Ac tertiam in die Martis post Festum S^{ti} Andreæ Apostoli, duraturam per totum illum diem ac etiam per duos alios dies tunc proxime sequentes. Una cum Curia Pedis pulverati ibidem tempore earundem Feriarum sive

Elizabeth, &c., to all, &c., Know ye that we, for the improvement of our Town of Southampton and for bettering the state of it, and for the Publick good of the s^d Town, HAVE given and granted to the Mayor, Bailiffs and Burgeses of the Town of Southampton and their successors for ever, that they and their successors shall for the future for ever have and hold every year within the s^d Town and its Precincts three Fairs, viz., on the Tuesday next before the Sunday commonly call'd Shrove Sunday, to last that whole Tuesday and the two days next following; and one other on St. Mark's Day, to last that whole day and the two days next following; and a third on the Tuesday after the Feast of St. Andrew the Apostle, to last all that day and allso the two other days next following.

Together with a Court of Pie Powder² to be held there during the time of the s^d Fair,

¹ "Here are three Markets weekly, on Tuesday, Thursday and Friday, which much enrich the town, and two good fairs on the Feast of St. Mark and Trinity Monday. Provisions are very plentiful and cheap at them, the Land producing Corn, and the Sea many sorts of Fish as Soles, Lobsters, &c. which are as good here as anywhere in England." — *Magna Britannia, Additions to Camden's Britannia*, Ed. 1720. Possibly the reason why only two fairs are here mentioned is that those of Shrovetide and St. Andrew's were never in a very flourishing condition. St. Mark's was also called Above Bar Fair; it was held on May 6th and 7th, and was not abolished till 1875. Trinity Fair is the only one which remains until the present; however, it now lasts but one day, Trinity Monday, and is held in the cattle ground.

² Court of Pie Powder, literally a court of dusty feet (French, *piéd poudreux*), was a court held in fairs to give justice to buyers and sellers, and for redress of disorders committed in them. It sat only while the fair lasted, and only disputes that had arisen in and during the fair could be settled by it.

Nundinarum ac earum cujuslibet tenenda ac una cum omnibus Libertatibus, liberis consuetudinibus, Tolnetis, Stallagiis, Piccagiis, Finibus, Amerciamentis, ac omnibus aliis Proficuis, commoditatibus et Emolumentis quibuscunque ad huiusmodi Ferias sive Nundinas et Curiam Pedis pulverati pertinentibus sive spectantibus, aut de hujus modi Feriis, &c., provenientibus. Ita tamen q^d Feriæ illæ sive Nundinæ aut earum aliqua non sint ad nocumentum aliarum vicinarum Feriarum et Nundinarum. In cujus rei, &c. A^o Reg. n, 42^o.

and each of them with all the Liberties, free Customs, Tolls, Stallages,¹ Piccages,² Fines, Amercements, and all other Profits, commodities and Emoluments whatsoever, belonging or appertaining to such Fairs and to the Pie Powder Court, or from such Fairs, &c., arising. Yet so that these Fairs or either of them shall be no prejudice to any other Fairs in the neighbourhood.

In witness whereof, &c., Y^r of our Reign 42.

CHAPTER XII.—THE PRESENT STATE OF THE CORPORATION.

We have seen above the ample Priviledges and extensive Power granted by ancient Kings to the Corporation of Southampton, which can fairly boast of as great Antiquity as any Corporation in the Kingdom. Some of these have been lost unavoidably by the change of times, and Accidents that cou'd not be prevented ; others I'm afraid by meer indolence and want of Spirit in the Corporation ; by taking a short View of each we shall come to their present State.

In the first class are to be reckon'd :—

The Court of Orphans,³ long laid aside.

The Staple, quite out of date.

The Admiralty Jurisdiction, now next to nothing.

¹ Stallages.—Fees paid for the privilege of erecting stalls.

² Piccages.—Money paid at fairs for the privilege of breaking ground for the erection of booths ; it was a tax levied by the owner of the ground on which the fair was held.

³ The reference is to the last governing charter, 16 Charles I, where the mayor and corporation are authorised to hold a Court of Orphans. This was similar to the London Court of Orphans, in which the lord mayor and aldermen have in their custody the keeping of the lands and goods of the children of deceased freemen.

The Sweet Wine Duty, come to nothing.

The Toll at Bargate, bo^t off.

The Foreign bo^t and foreign sold,¹ lost.

The Weighing and Gauging,² out of use.

Articles that have been lost either by neglect or by some Act of the Corporation :—

Stallagium Artificum,³ or Stall and Art. Lost by neglect.

Poundage for ships sold.⁴ Lost by neglect.

Ballastage and Horse Boat.⁵ Lost by neglect.

Property in the Conduits and Water pipes, and the authority of making Rates for the support of them. Lost by their own act of joining with some captious people of the inhabitants in a Petition for an Act of Parliament to vest these matters in Commissioners, of whom the Members of the Corporation are only a fourth part, and of Course are meer Cyphers.

Paving the Streets and the authority of carrying into execution an Act of Parliament for that purpose. Lost by their own act of joining, as above, in a Petition for a new Act of Parliament to vest these Powers in Commissioners.

Other Articles of Priviledge and Property taken from the Corporation by the new paving Act :—

CORPORATION'S RIGHTS.

(1) Appointment of Scavengers.⁶ This is a power vested in the Corporation, as Magistrates of the Town (for none but Members of the Corporation can be Magistrates), by several Acts of Parliam^t, particularly 2 George II, c. 18, s. 3, besides w^{ch} it is comprehended under the general Government of the Town vested in them by their Charter.

NEW PAVING ACT.

Vested in the Commissioners by this Act, in w^{ch} it is provided that there shall be allways 25 Commissioners, not Members of the Corporation, who therefore can never be Magistrates of the Town.

¹ In the passage referred to here, the Act of Parliament concerning Goods Foreign Bought and Sold is simply mentioned. For details see Appendix P.

² This is a reference to the charter 16 Charles I, where the mayor is made gauger of wines, oile, herrings and all other merchandise, and gaugeable vessele; also welgher at the king's standard of "all and singular merchandises that are weighable or are there to be weighed."

³ Stallagium Artificum.—See Chapter XI, "Of the Revenues of the Corporation."

⁴ Poundage for ships sold.—See Chapter XI, "Of the Revenues of the Corporation."

⁵ Ballastage and horse boat.—See Chapter XI, "Of the Revenues of the Corporation."

⁶ Scavengers were appointed to carry away refuse, and to fill up holes in places from which clay or gravel had been taken. Scavage money for their wages was to be paid by every householder, and collected by persons appointed by the Court Leet to look after the work; if it was not done thoroughly the scavengers were fined.

(2) The Watch.¹ This is a Duty incumbent on every House-keeper to perform, either in person or by a sufficient substitute. And the regulation of it is vested in the Magistrates (who in this Town must be Members of the Corporation) by many Acts of Parl^t, and particularly by that above mention'd, 2 George II.

By the new Act, all that relates to the Watch is vested in the Commis^{rs}.

(3) Building a Pound² and impounding Cattle. The Right of the Corpⁿ as Magistrates or rather as Lords of the Soil by their Charter.

Granted to the Commissioners.

(4) Removal of Nuisances and Encroachments, and inflicting Penalties for the same, vested in the Corporation as Magistrates.

Granted to the Commissioners.

(5) Power of taxing the inhabitants³ for the necessary Expences concerning the Town; granted to the Corporation by their Charter.

Given to the Commissioners, in the points mention'd in the Act.

1 The Watch. The Statute of Winchester, 1285, ordered that towns were to be guarded by watchmen in number proportionate to the inhabitants, and in the Guild Ordinances this system was developed in detail. The aldermen were to see that proper persons were appointed to keep watch, and were to go round periodically to ensure that the duty was carried out as it should be. The town was divided into wards, sometimes there were five, sometimes four; in 1570 we find eight, each of which was under the charge of an alderman. In times of danger all the householders were expected to be ready to assist the mayor at any time, and to keep weapons at hand in case of sudden emergency. There are many interesting and curious presentments respecting the watch in the Court Leet Records; many times we find the complaint that the men selected for the post of watchmen were unfit, "poor labourers and very weak men who work by day," "poore sillye ould men," men who would "rather sleep than talk," who knew "what belonged to a watch" and who would have won the approval of Dogberry, "ancient and most quiet watchmen, for I cannot see how sleeping should offend." Many times, too, there are appeals to the householders either to watch "in proper person" or to provide fit substitutes, and at last, in 1604, after continual complaints the jurors said they found no redress and therefore desired the authorities to take "present order for reformation of this intolerable abuse before so public a scandal to the whole government." The sergeants were ordered to go round to the houses of the townsmen selected for the work, warn them of their turn, and give their names in writing to the mayor. They were generally six in number, but in times of great excitement such as in 1678 when a panic had been caused by the pretended revelations of Popish plots by Titus Oates, the watch was doubled or even trebled, and some were sent on duty in the daytime as well as at night.

2 The pound was situated in Above Bar; near it stood a fine old elm tree, hence the name Pound Tree Lane, originally a narrow lane leading from the main thoroughfare into Houndwell. The pound was a Saxon institution; it was used not only for stray cattle, but animals belonging to a person in debt could be seized, placed there and kept until the debt was paid.

3 The power of taxing the inhabitants and owners of houses and land was granted to the Corporation formally for the first time by the charter 16 Charles I, but the power had been exercised long before. The town Journals contain many instances of such taxes being levied; there are also to be found protests against paying the sums demanded, e.g., in 1559 two burgesses, who objected to the fact that the mayor and aldermen had laid a tax upon the inhabitants without consulting the rest of the burgesses, were disfranchised.

Properties of the Corporation invaded by the new Act:—

(1) The Soil of the Streets. This is the undoubted Freehold Property of the Corporation, and at the time this Act was pass'd was let for £10 or £12 a year.

Granted to the Commissioners, without any recompence to the Corpⁿ.

(2) All Fines, Forfeitures, Amercements, &c., for Nuisances, Encroachments, &c., are granted to the Corporation by their Charter.

Given to the Commissioners, in the Articles mention'd in the Act.

(3) Power is given to the Commissioners to pull down East Gate,¹ if they think fit, w^{ch} is the Corporation's Real Estate, and to pull down Sheds, Houses, &c., without any exception of those belonging to the Corporation; indeed they are to have a pecuniary recompence in this case; but it is very well known that Corporate Bodies cannot convert their real Estates into Personal ones, and all Acts for the alienation of the real Estates of such Bodies direct that it shall not be done by way of Sale, but by Exchange for another real Estate of equal or greater Value, but no such Provision is made here. When this is done the real Estate of the Body is not lessen'd, w^{ch} it never can be equitably, because the Members, for the time being, of such Bodies have only an Estate in Trust, for the use of their Successors. Those Members therefore of the Corporation who were Parties to the promoting and procuring this new Act were guilty of a most flagrant breach of that Trust, besides a manifest violation of their Corporation Oath; By w^{ch} they have brought their Body into the situation mention'd above, w^{ch} is the present state of it.

¹ The following extract from Grose's *Antiquities of England*, c. 1773, gives a description of the East Gate:—"This gate was most probably built at the same time as the walls of the town. It is extremely remarkable for the singularity of its form, and not much less so for the absurdity of its construction, considered as the gate of a fortified town; for though great care was given to give it sufficient solidity to resist the efforts of an enemy, its projecting buttresses kindly extend themselves so as to form a safe lodgement for a considerable number of assailants, covered from sight of the adjoining tower and liable to no other annoyance than what might be given from the cellets or loopholes and the machicolations of the gate; and yet this was erected for the defence of the town soon after it was burned and plundered. Examined in a civil light it is hardly less exceptionable, being narrow, dark and inconvenient. It is said the Corporation propose taking it down."

Leland mentions it in his account of the fortifications; he says that it is "stronger but nothing so large as the barre gate."

In early times there was a chapel over it dedicated to the Virgin; we read of a bequest made to it in 1348; but the chapel did not continue as such, it was let as a warehouse in the seventeenth century.

The East Gate was situated at the point where the Strand and Canal Walk intersect East Street. In 1775 the Commissioners of Pavement were granted permission to take it down on payment of £16 to the Corporation.

'Tis true this new Act indemnifies them for selling their Estates, but that very indemnification itself is a plain declaration that the doing it is faulty.

Tho' many of the Articles above mention'd are call'd Triffls by some people, yet they are the Badges of Authority, and if Magistrates will, by parting with these, degrade themselves from the Dignity of their Office, they must expect that those who ought to be under their Government will be constantly pulling at every Hair till they leave them quite bare; and they will have no just reason to complain of the neglect and contempt w^{ch} will be the certain consequence of their indiscretion, since they will have brought it on themselves.

THE STILE OF THE CORPORATION.

In the ancient Charters this was generally the Burgesses of Southampton, but in Law Proceedings it was the two Bailiffs before they had a Mayor, after this it was the Mayor and the two Bailiffs, w^{ch} continued till Henry VI, who made the Town a County, and appointed them to have a Sheriff; and therefore in the Act 17 Edward IV, for paving the Streets, the Sheriff is added to the Mayor and Bailiffs. At present, it is, by the last Charter, the Mayor, Bailiffs and Burgesses, without any mention of the Sheriff. But whatever alterations have been, or may be, made in their Stile, the Corporation is still the same.

THE CHURCHES.

All the Churches in this Town belong'd to Monasteries, and of Course they all came into the hands of the Crown upon the Dissolution, and there they all remain; except Holy Rhoods, the patronage of w^{ch} came into private hands very early, for A.D. 1551, or 7 Edward VI, John Capelin, a Merch^t of this Town, was Patron of it, as appears by a Writing concerning an exchange of the Vicarage House mention'd below. A.D. 1586, Anthony Lisle, Esq^r presented to it, and A.D. 1611, Queen's College in Oxford, who have continued Patrons ever since.¹

¹ "Ever since," *i.e.*, until 1770. The Bishop of Winchester is now the patron, for in 1871 the living of Holy Rood was exchanged for the patronage of two country churches.

This Church did not allways stand where it does now,¹ for Bp. Tanner,² under the Article St. Dionis, mentions: *Licentia pro Ecclesia S^{tae} Crucis (tunc in medio vico situata) in alio loco construenda.* Claus. 18 Edward II, m. 14. (A Licence for the Church of Holy Rhood (w^{ch} then stood in the middle of the Street) to be built in another place).

The other Churches are, as mention'd above, S^t Lawrence's, St. Michaels, All Saints, and S^t John's,³ w^{ch} last Church is entirely gone to ruin, and the site of it is converted into a burying place, the Parish being united to that of S^t Lawrence.

A.D. 1705.—A Petition to her Majesty to unite S^t John's to S^t Lawrence according to an Act of Parliam^t, 17 Cha. II, for uniting Churches in Cities and Towns Corporate.

A.D. 1708.—The Instrument for their union was bro^t into the (Audit) House.

The Revenues of all the Churches here, as in most other Towns, are very small, but that of Holy Rhood's has had several augmentations; first from Dr. Morley, Bp. of Winchester, as follows:—

"This Indenture Tripartite made the 29th day of Jan^{ry}, in the 34th year of the Reign of our Sovⁿ L^d Cha^s II, by the Grace of God, of England, &c., A.D., 1682, between the Rt. Rev^d Father in God, Geo., L^d Bp. of Winton, on the 1st part; Fra^s Morley of Farnham, in the County of Surrey, Esq^r, and Cha^s Morley, eldest Son of the s^d Fra^s Morley, on the 2^d part; the worshipfull Rich^d Meggott, Doct^r in Divinity and Dean of the Cathedral Church of the Holy Trinity in Winton, John Nicholas, D^r in Divinity and Warden of the College of S^t Mary, near Winton afores^d, and the Rev^d W^m Hawkins, D^r in Divinity and Prebendary of the Cathedral Church of Winton afores^d, on the 3^d part; Witnesseth that the s^d Rt. Rev^d Father in God, Geo.,

¹ Holy Rood Church occupied a site opposite its present position, in the middle of the High Street, until 1320, when, having fallen into decay and being an obstruction, it was removed to the place where it now stands, the site of which was presented to the Canons of St. Denys by a wealthy burgess, Thomas de Bynedon. The Old Audit House afterwards was built on the spot where the earliest church stood. The porch of Holy Rood was anciently used as a "Proclamation House"; it was still called by that name in 1770. The corporation paid 10/- a year rent for it to the parish, and undertook to keep it in repair.

² Bishop Tanner.—See note, Chap. VI.

³ Very little is known of the history of St. John's Church. The earliest fact recorded of it is that it was granted soon after the Conquest to the Abbey of Lire in Normandy, by William Fitz-Osbern, a kinsman of the Conqueror. It stood in French Street, on the site of the old burying ground, until 1703, when, on account of its ruinous condition and the poverty of the benefice, it was pulled down and the parish united to that of St. Lawrence, the land on which it was built being converted into a church-yard for the use of both parishes.

L^d Bishop of Winchester, Fra^s Morley and Cha^s Morley, do hereby mutually agree and declare that the s^d Fra^s Morley and Cha^s Morley, and their Heirs and Assigns, shall stand seiz'd and interested of and in certain annual and Fee Farm Rents of £56 : 2 : 0½, and other Premises therein mention'd, and the Reversion and Reversions, Remainder and Remainders, with their and every of their Appurtenances under the Trusts herein-after mention'd, that is to say, that they shall pay, &c.; To St. Maurice Ch. at Winchester.

“And upon this farther Trust, that they the s^d Rich^d Meggott, John Nicholas, W^m Hawkins, Fra^s Morley and Cha^s Morley, and the Survivors and Survivor of them, and the Heirs, Executors, Administrators, and Assigns of such Survivor of them shall also yearly for ever pay and allow the clear sum of £20 yearly, other part of the s^d annual or Fee Farm Rent of £56 : 2 : 0½, unto the Minister or Vicar for the time being, and to such person or persons for ever hereafter who successively shall be Ministers or Vicars of the Vicaridge and Parish Church of Holy Rhoods (otherwise call'd Holy Cross), in the Town and County of Southampton, keeping also his or their Residence within the s^d Parish. Untill the s^d Rev^d Father in God shall by his means and endeavours procure or cause to be settled and made, a better and greater yearly augmentation and allowance to the s^d Minister or Vicar of the s^d Parish Church of Holy Rhoods afores^d, and so long as the inhabitants of the s^d Parish of Holy Rhood's afores^d, or any inhabitants of the Parishes of S^t Lawrence and S^t John's, or any other Parishes in the s^d Town of Southampton, shall jointly or severally, by Subscriptions, Collections, or by any other ways or means whatsoever, yearly raise, levy, and pay the like sum of £20 yearly, over and above, and beyond all customary Dues, Payments, and Allowances made and paid by the respective inhabitants of the s^d severall Parishes; so to be contributors as afores^d unto the Minister and Vicar, for the time being, of the s^d Parish Church, and the s^d £20 to be paid by them, the s^d inhabitants, to the s^d Minister or Vicar yearly by half yearly Payments, the first Payment thereof to be made at the Feast of the Annuntiation of the blessed Virgin Mary next ensuing the Date hereof.

“And in case the s^d Rev^d Father in God shall by his means or endeavours procure a better Augmentation or Allowance to be made to any Minister or Vicar of the said Parish Church, or if the s^d respective inhabitants of the s^d Parishes, or any or either

of them, shall fail to make such Allowance and Payment of £20 yearly as afores^d for the space of one whole Year, that then, in either of the s^d cases the s^d £20 yearly Augmentation herein before directed to be paid out of the annual Fee Farm Rent of £56 : 2 : 0½ unto the s^d Minister or Vicar and his Successors, shall be no longer paid, and then, and in either of the s^d Cases, these Presents are upon this farther Trust; that they, the s^d Rich^d Meggott, &c., shall pay, allow and satisfy the s^d clear yearly Sum of £20, part of the s^d annual Fee Farm Rent, unto such person or persons who now is, and hereafter from time to time successively shall be Vicar of the Parish Church of Farnham, in the County of Surry, in Augmentation of his and their Maintenance.

“N.B.—Taxes and necessary Expences of the Receiver are to be deducted.”

A.D. 1752.—Mr. Rich^d Taunton, Merch^t, Alderman of this Town, left by his Will £21 a year to the Minister of Holy Rhood's Parish, to read prayers twice every day in the year at that Church; and if he misses twelve times in any year, the Benefaction is to go to the Minister of St. Lawrence Parish, on the same Terms; and if he misses twelve times in a year, it is to return to Holy Rhoods, and so on for ever from one to the other.

This Parish has likewise had Q. A.'s Bounty, wth w^{ch} has been purchas'd an Estate of £20 a year. And the Society of Queen's Coll. in Oxford, who have been Patrons of this Church ever since the year 1609, have of late years annex'd the Stewardship of God's House to it, w^{ch} brings in £21 a year in money, besides a very good House for the Steward¹ in the Hospital, and some perquisites from the Stewardship.

There is another Article w^{ch} us'd to be look'd on as part of the Vicar's income, w^{ch} has lately been the subject of much dispute; it may therefore be of use to set it in it's true light.

The site of the original Vicarage House was part of the ground on w^{ch} the great House² on the North side of the Church now stands, and was alienated in the year 1551³ for four Terms

1 There was a house on the west side of the quadrangle of God's House which was formerly set apart as the residence of the steward. Dr. Wilson, who held the living of Holy Rood from 1824 to 1873, lived in this house during the earlier part of his incumbency; he was the last steward.

2 The great house on the north side of the Church was called Holy Rood House; it was occupied by Dr. Speed's father, and afterwards by himself until 1751. It is now Mr. Lankester's Iron foundry, and only a few parts of the original vicarage house are to be seen.

3 After the alienation of the vicarage in 1551, the vicar, John Griffith, M.A., removed to a small house to the south of the church; he was too poor to keep the original house in repair.

of 99 years each, to a person who built that great House upon the ground, and covenanted to maintain the Vicar in the possession of another House w^{ch} he, the Alienee, held by Lease from Queen's College.

When that College became Patrons of this Church, they did not renew the Lease of the above House, but let it run out, and at the expiration of it granted a new one to the Vicar. About the year 1640 the Vicar, to save his House from the Parliament Sequestrators, assign'd the Lease of it to a Layman, and the Vicar being sequester'd from the Church, the Layman kept the Lease, and afterwards renew'd it in his own name, by w^{ch} means the House was quite lost to the Vicar. About 1642 the then owner of the great House shot himself, and the House escheated to the Corporation by their Charter, so that they now became parties to the Covenants of the Deed of Alienation; and the next Vicar apply'd to them to recover the lost House for him; they compounded the matter by agreeing to pay him a certain yearly Sum, by way of Rent for a House, or, as it is express'd in their Journal, "in lieu of a Vicarage House, to be paid till a Vicarage House is found him."

This went on about threescore years, and then the College and the Corporation join'd to buy another House for the Vicar,¹ and from that time the payment of the above compensatory Rent shou'd have ceas'd; but as in the course of so many years the reason of its being paid was forgot, they continued to pay it for fifty years after this. But then a new Vicar made fresh application to them to recover the lost House for him; this put them upon looking back into their Journals, where they found the true reason of the payment, and as the reason had long ceas'd, they resolv'd to pay it no more.

All the Articles together with the Dues amount to about £160 p^r an.

S^t Lawrence and S^t John's united: Dues £13, Queen's Bounty £20; total £33 p^r Ann.

All Saints: Dues £32, Queen's Bounty £9, Mr. Windsor's Legacy £4; total £45 p^r Ann.

S^t Michaels: Dues £25 p^r Ann.

¹ This house stood on the site of 106, High Street; it was pulled down early in the nineteenth century. Sir Henry Englefield describes it as follows:—"A very old house, the parsonage of Holy Rood Church, with a curious stuccoed front covered with ornaments. In three square tablets appear, in the centre the feathers of the Prince of Wales, and on each side a rose crowned with a close crown. The style of these ornaments does not allow us to suppose them later than the reign of Henry VIII; they are perhaps still older. The door of entrance of this house, with its hinges and iron ring, is very ancient; and in the spandrils (spaces between the arches) of the door case are cut, in an ancient Gothic letter, Jesus, Maria."

At this last Church the Mayor is usually sworn,¹ and it was customary for a Sermon to be preach'd on the occasion by the Minister of the Parish, who had a Guinea for his pains; but

A.D. 1677.—An Order is enter'd in the Journal that, because Mr. Butler² had abus'd the Corporation in the swearing Sermon, there shou'd be no Sermon at swearing of the Mayor, and that the Mayor may be sworn at which Church he pleases, w^{ch} Order was repeated A.D. 1693.

Notwithstanding this the Custom was reviv'd, but a few years since was discontinued again on a like occasion, and on account of some other squabbles with the Minister of that Parish, is discontinued still. But the Mayor is still sworn at that Church.

In the latter part of the last Century one Mr. Mills (Nathan. Mills was Mayor A.D. 1630) left £4 a year, to pay 20^s every Quarter to the Minister of the four Parishes in the Town by Rotation, for w^{ch} each Minister is to read Evening Prayers every day during his Quarter.

FRENCH CHURCH.

In the year 1668 there was a Scheme on foot for settling some French Protestants in this Town,³ to carry on a Silk weaving Manufacture, but it did not succeed. However, about that time, or a few years after, enough of them had settled here to form a Congregation, and they had, and still have, by the Leave of Queen's College and the Licence of the Bp. of Winchester, the use of the Chappel at God's House, w^{ch} is therefore usually call'd the French Chappel or French Church. They were all of them

¹ The mayors used to be sworn in the north chancel aisle, which was called the Corporation Chapel. The custom of swearing the mayor was dropped at the passing of the Municipal Corporations Act of 1835.

² This Mr. Butler was the same person who, as head master of the Grammar School, did not give satisfaction and consequently had to resign his post.

³ The establishment of a French Protestant congregation in Southampton is to be traced further back than 1668; for the earliest mention of it is found to be in 1567, when a number of Walloons, who had obtained permission from Queen Elizabeth to settle in the town, made a petition to the corporation for the use of a church where they might have their own form of worship. At the same time they made other requests—that they might exercise their trades or at any rate such occupations as had not been practised in the town before; that they might export their goods if they could not dispose of them in the town; that the corporation would use their influence with landlords to ensure that the rents of their houses should not be higher than they had been for the last two years, &c. They also assured the corporation that their residence in Southampton would be beneficial to the community, for they would be peaceful, law-abiding citizens, and would willingly pay their share of taxes for the maintenance of the town. The corporation granted most of their requests, and the same year they were settled in the chapel of God's House, permission to use which must evidently have been obtained from Queen's College, Oxford, to whom the whole Hospital belonged. The registers of the church begin in 1567; they are full of interesting facts and throw light, in many instances, on the way in which South-

Dissenters, and in the year 1683 a Complaint was made to the Bp. by the Magistrates of the Town, that other Dissenters made this Chappel, being a licenc'd one, a kind of Asylum to protect them from the Laws then in being against Non Conformity,¹ and that the people of better sort of the Islands of Guernsey and Jersey complain'd that their Countrymen, who frequented this Chappel when they came to Southampton, frequently return'd greatly prejudic'd ag^t the Liturgy (w^{ch} was then, and I think is still, altogether us'd in those Islands), Praying therefore that the Minister of this Chappel may be order'd to use the Liturgy of the Church of England in French, as at the Savoy in London. This was afterwards order'd and is still observ'd.

The Congregation choose their own Minister,² and put him out if they see cause. They maintain him and their poor by Subscriptions, and some Legacies that have been left for those purposes.

In consideration of the use w^{ch} the Islanders make of this Chappell when they come to Southampton, the following Dues have been appointed to the Minister. "The French Minister's Dues in the Port of Southampton from the Inhabitants of Jersey, Guernsey, Alderney, &c." :—

ampton was affected by the great events of history. We find, for example, fasts recorded ; one, in 1572, after the massacre of St. Bartholomew, to pray for their suffering brethren in France ; another, in 1576, to pray that Elizabeth's friendship with the Prince of Orange might help forward the cause of Protestantism ; another, in 1583, that the plague, which had been raging for six months in the town, might be stayed, and that the persecutions in the Netherlands might cease ; while in 1588 a solemn thanksgiving service was held to commemorate the defeat of the Armada. One other interesting event in this reign was a visit of the Queen to the town in 1591, when the congregation of the French Church expressed their gratitude to her for her protection. Elizabeth received them kindly, saying she thanked God she was able to help the "poor strangers."

¹ It was not until 1712 that any decisive step was taken to bring the worship of the congregation into conformity with that of the Established Church. In that year the authorities of Queen's College gave orders, through the vicar of Holy Rood, that the English Liturgy must be used, or the chapel would be taken from them. The fact that M. Congot, the minister at that time, was in Anglican orders, and also that he held the living of Millbrook, doubtless had some influence in bringing about the change, for Congot was much respected by his congregation. At a special meeting of the elders and leading members of the church it was agreed, though not unanimously, that they should conform to the Anglican rites, but at the same time they made an appeal to the Wallon Churches in London, Jersey and Guernsey to see if they could find a solution of their difficulty. The former body strongly disapproved, and the latter as strongly approved, of the proposed alteration. The Bishops of Winchester and London were requested to give their sanction and help, and the French Church was formally received into the Church of England in March, 1712.

² The choice of the minister was granted to the congregation in 1712 by the Bishops of Winchester and London, and it was not long before they had to exercise their right of putting him out, for on the death of M. Congot in 1721 dissensions arose, his successor, M. de St. Denis, proving very unsatisfactory ; the congregation appealed to the Bishop, who inhibited him, and in 1723 another pastor, M. Duval, was elected. Now, since 1856, the appointment of the ministers is in the hands of the trustees, who also allocate the income and charities of the church ; of these trustees the vicar of Holy Rood is always one.

INWARDS.	OUTWARDS.
For every hundred Aulnes (ells) of Canvas im- ported by any of the s ^d Inhabitants... .. id	For every Q ^r of Corne ... id
For a parcel of Lockroms ¹ id	For a dicker ² of Leather 4d
For a dosen Wastecoates id	For a Todd ³ of Wooll ... id
For a dosen Stockings ... id	For a parcel of Drapery id
For a dosen Calve skins, the growth of either of the s ^d Islands id	For a dos. Calveskins drest id
For 100 w ^t of Soape ... id	
For every Tonne of Sider of the growth and manufacture of either of the s ^d Islands ... 4d	

All the Churches Parochial in the Town having belong'd to Abbies, the Patronage of them all came to the Crown at the Dissolution, and they all continue still in the Crown, except Holy Rhoods as above mention'd.

CHAPTER XIII.—THE TRADE OF THE TOWN.

The Trade of this Town has undergone great changes arising from many unavoidable circumstances and accidents. It was in it's Zenith in early times,⁴ when besides it's being the only Port

¹ Lockrom, or lockram, was a linen fabric of various qualities for wearing apparel or household use. It takes its name from Locronam, a village in Brittany, where it was first made.

² Dicker, from the Latin *decuria*, a company or parcel of ten, is a word that has been used from ancient times onwards in the reckoning of skins and hides.

³ Todd, an old weight used chiefly for wool; it was generally 28-lbs.

⁴ By "early times" is meant the period of the Norman and earliest Plantagenet kings, for there is no doubt that the Norman Conquest increased the importance and prosperity of Southampton. While many towns were losing their wealth and population, this port and a few other places of embarkation for the Continent grew and flourished. The seventy-six inhabitants mentioned in Domesday Book were probably original burgesses, and it was doubtless they, the resident trading class, who became the strong authority in the town, owing to the close union of the merchant guilds. If Southampton had not been a place of importance it is hardly probable that so many wealthy barons—and the Domesday Survey shows that there were at that time forty-eight great landowners—would have held houses and lands within its precincts. This prosperity continued till the loss of the English possessions in France, in Henry VI's reign. In 1204 Southampton ranked third among the mercantile ports, only London and

in this part of the Kingdom, it receiv'd great advantages from the following Act of Parliament¹ :—

2 Richard II, c. 3. Item ordene est et assentuz que touz Merchantz de Jene, Venice, Catiloign, Arragon et dautres Roialmes et Terres et Paiis vers le West, esteant del amistie nostre Seigneur le Roi, qui vorront amener à Hampton ou aillours deinz le Roialme Carraks, Niefs, Galeys ou autres Vesseulx, chargez ou dechargez y puissent fraunchement vendre lours Merchandises a qui lour plect, per manere que dessus est dit, et illoeques recharger lour ditz vesseulz des Leynes, Quirs, Peaux, Plumb, Esteyn, et dautres Merchandises de lestaple, et fraunchement les amener en lour Paiis vers le West paiantz es port ou ils les chargeront toutes manere

2 Richard II, c. 3. Allso it is ordain'd and agreed that all Merchants of Genoa, Venice, Catalonia, Arragon and other Kingdoms, Lands and Countries lying westward, being at Peace with our Lord the King, who will bring to Hampton or any other place within the Realm, Carracks, Ships, Gallies or any other Vessels laden or unladen, may freely sell their Merchandise there to whom they please, in the manner before mention'd, and may there reload their s^d vessels wth Wooll, Hides, woollfells, Lead, Tin and other Staple Commodities, and may freely carry them to their own Countries westward, paying at the Port where they load all

Boston taking precedence of it. The wine trade was the earliest source of prosperity; there are many writs to be found concerning the wine of the kings or wealthy nobles in the twelfth century. In Henry III's reign orders relating to the king's wine are frequently found, and wine wardens, who a special duty it was to look after it, were appointed. In 1224 Henry had so many casks here that additional cellars for its storage were required; one was hired for fifteen weeks and 16/- paid as the rent of it. In 1220 the king ordered 18 casks of the best wine to be sent from Southampton to Oxford, where he was intending to spend Christmas. Occasionally the poor were allowed to have the refuse of the king's cellar; in 1226 there was issued an order that the wine wardens should give to them two tuns which had become stale and flat through keeping.

The wool trade here was flourishing by the time of Edward I, and the Earl of Warwick was given the custody of the tron or weighing beam, which was kept in the Weigh House. Nicholas de Barbefet, the lord of Shirley Manor, in 1299 obtained the right of tronage and pesage of wool for exportation from Southampton, for which he paid 40/- a year. The office of "pesage" ("pesage" is used in a more general sense than "tronage") was valuable, as Southampton was one of the eight ports from which alone wool could be shipped.

By the Statute of Staples, 1353, staple goods from Winchester had to be weighed a second time here.

There was also a considerable Venetian trade established by the beginning of the fourteenth century, and it is evident it must have been of great importance to the town, for after a fight between the crews of five Venetian galleys and the townspeople, in which much blood was shed and property destroyed, although it appears that the foreigners were the aggressors, the mayor and his brethren agreed to accept money compensation rather than drive away so valuable a trade.

¹ This Act proved to be of the greatest advantage to the town, for from this time ships from Genoa and Venice visited it with unbroken regularity for about one hundred and fifty years. Another fact which shows the importance of the Genoese and Venetian trade to Southampton is the reduction of the fee farm rent when that trade ceased. The prosperity of the town seems to have aroused the jealousy of the London merchants, for in *Stow's Annals* it is related that in 1379 they assassinated a rich Genoa merchant, who had asked permission of the king to occupy the castle, undertaking to make Southampton the greatest port in the west of Europe.

de Custumes, Subsidies, et autres Devoirs de Caley, auxi avant come en paieront sils amesnessent meme les Merchandises a lestable de Caley, parissint quilz troessent seurete suffisant quilz les ameneront issint devers le West et nulle part aillours devers le Est sinonque a lestable de Caley, si par Cas ils y vorront aler, sur la peine de forfaiture devant ses heures ordene.

manner of Customs, Subsidies, and other duties of Calais, in the same manner as they wou'd pay if they carried the same Goods to the Staple at Calais, provided they give sufficient Security that they will carry them from thence westward, and not to any other place eastward than to the Staple at Calais, if haply they have a mind to go thither, on pain of the forfeiture appointed aforetime.

At that time the Genoese and the Venetians carried on all the Levant Trade, and when they were excus'd from going up the Channell to Calais, w^{ch} shorten'd their Voyage, they all came to Southampton, w^{ch} made This Town the Centre of all the Levant Trade of the Kingdom; and so it continued to be till the Exportation of Wooll was prohibited in Henry VIII's time,¹ w^{ch} put a stop to the Levanters, as wooll was the Commodity they chiefly wanted. However, the Journals take notice of some few Venetian Ships being here after this time; the last, I think, was 4 Phil. and Mar.² The above circumstance is the reason that the Ships of Venice and Genoa are mention'd in the Charters.³ In order to recover a foreign Trade to the Town, Queen Mary being pleas'd with the reception she had here, when she met

¹ From early times the government had tried to ensure to English weavers a sufficient supply of raw material for manufacture. In the reign of Edward III an attempt was made by the Assize of Wool to check the export at low rates, and thus to give preference to home purchasers. Edward IV laid down limits as to the time of the year when the merchants of the staple might buy wool to export. In the sixteenth century the wholesale dealers seem to have become undisputed masters of the trade, and domestic manufacturers could not buy direct from the growers. The object of Henry VIII's legislation was to force the wool trade to revert to its old methods and prevent large undertakers from engrossing it, and in the latter part of Elizabeth's reign there was an agitation raised to prevent the exportation of wool altogether.

² This is not the last occasion on which Venetian ships came, for in the Journal of 1569 there occurs the entry, "John Crooke, mayor, a Venetian ship here, £50."

³ The loss of the Levant trade was not by any means the only cause of the decline in prosperity of the town; there were several reasons for it. The frequent and prolonged wars of the fourteenth and fifteenth centuries were a great hindrance; at such times ships were frequently seized to be used for carrying troops to France; and while the war was in progress vessels engaged in the wine trade were often captured by the enemy. The burning and plundering of the town in 1338 was a great blow; property fell to almost one half its former value; rents could not be got in, and the fee farm could not be paid. Scarcely had the town recovered from this when another calamity fell upon it—the Black Death of 1349—which carried off nearly half the population. By the beginning of Henry VIII's reign the townspeople complained bitterly of the decay of trade. In a letter written in 1528 to Wolsey, who had just been made Bishop of Winchester, the small amount of shipping is mentioned, and the writer informs the Bishop that great things are expected from him, in the way of reviving the fallen fortunes

Philip of Spain, who landed here, gave the Corporation a grant¹ that all Malmsies and sweet Wines growing in the Islands of Candy and Retimo, or within any part of the Levant, imported into England, either by Denizens or Strangers, shou'd be landed onlie at the Port of Southampton, on pain of forfeiting 20^s for every Butt, one Moiety to her Majesty, the other to the Town. This Grant was confirm'd by Act of Parliam^t, 5 Elizabeth, but was limited to importations made by Strangers, w^{ch} being only a temporary Act, it was made perpetual by another, 13 Elizabeth.²

The Grant is still in force, but the establishment of the Turkey Company, who have a Grant of an exclusive Right to the Levant Trade, and A.D. 1615 procur'd a Royal Proclamation to be issu'd to prohibit the importation of Sweet Wines by foreigners, quite depriv'd the Town of the benefit of it.

The Town had many controversies upon the subject and petition'd the King for redress, on w^{ch} the Turkey Company were order'd to make some recompence to the Town, but they never did. The recompence desir'd by the Town was liberty to import Currants from the Levant.

A.D. 1635.—It was determin'd by a Decree of the Exchequer that Malaga Wines are within the Town's Grant.

A.D. 1723.—Upon examination of the above Decree, it was found that it determines all the parts of Spain within the Straights to be within the Town's Grant, and that Natives importing in foreign Bottoms are to pay the Duty. But there is now so little wine imported in foreign Bottoms that it comes to nothing.

After this, the Trade of the Town was principally with France and Spain, for w^{ch} reason they oppos'd the establishment of a Company of Spanish Merchants in the City of London.

of the town, as he has become, by his elevation to the see of Winchester, Earl of Southampton, Edward VI, who visited the town in 1552, while on a tour in the south and west of England, was much pleased with the welcome accorded to him by the citizens, and in a letter to a friend, Barnaby Fitzpatrick, alludes to the "elegant and luxurious living of the principal inhabitants and the beauty of the town and fortifications"; he interested himself in a scheme for establishing here a free market for the sale of English goods, particularly cloth and tin, and a paper in his own handwriting is still preserved in the Cotton Library, in which the details of the plan are set forth. However, the king died the next year, and the scheme came to nothing.

¹ See Chap. XIV and Appendix Q.

² These acts are given in full in Appendix R.

Though Elizabeth's reign brought prosperity to the country generally, Southampton was unaffected by it; trade did not revive. In 1588 the mayor was unable to furnish the two ships and pinnace demanded from the town, neither could he supply crews to man them, as 110 mariners had already been pressed for service. The poverty of the town at this period was apparently not evident to the casual observer. In Speed's *Theatre of Great Britain*, 1596, it is described as "a town, populous, rich and beautiful," and Camden speaks of the High Street as "one of the fairest streets that is in any town in England, and it is well bullded for timber building. There be many fair merchants' houses."

A.D. 1636.—An additional Duty was laid upon Bay Salt, and this Town petition'd to be exempted from it, because most of the shipping belonging to the Town was employ'd in the Newfoundland Fishery, and they were exempted, in consequence of a Certificate from the Customers that the Town was in the Division of the Western Ports, w^{ch} were to be excus'd.

A.D. 1656.—The Town petition'd the Parliament to be made a free Port, setting forth that it was the only Port in England for the Levant Trade.¹

This matter of making the Town a free Port has been often talk'd of ; for the only method of doing it, see Chap. XI, "Petty Customs."

After the Restoration they had a great Trade here for French Wines, w^{ch} lasted till the high Duties laid upon those Wines very much lessen'd the demand for them, w^{ch} drove our Merchants into the Portugal Trade, and they are now very deservedly remarkable for the goodness of their Port Wines. Besides this, they have had a Norway Trade for Timber, but they now deal chiefly with Russia for Timber and Hemp.

The reason why some neighbouring places on the Coast, as Portsmouth, Cowes, &c., have broke in upon the Trade of Southampton, is that those places lie more convenient for foreign Ships to get out to Sea again, and this will allways last.

The Guernsey and Jersey Trade chiefly centers here, and they have a pretty good share of Coasting Trade and Coal Trade.

What other Articles of Trade they have had will appear from the Ancient Laws in the Appendix.²

The Duties paid at the Custom House amount at present to a pretty deal above £20,000 a year, w^{ch} shows an allmost inconceivable encrease of the national Trade in general, for 22 Henry VI, about w^{ch} time the Trade of this Town was at its

¹ Another effort was made to arrest the decay of the town's trade in 1666. After the Great Fire of London the Corporation drew attention to the advantages to be found in it, "many very good houses with convenient cellars and warehouses, now void and unemployed," and offered to any of the sufferers by the late destructive fire—"merchants and men of credit and reputation,"—who should settle in the town, that for "some small acknowledgement" they should be admitted into the Corporation. Possibly the authorities had been roused to make this effort by a visitation of the Plague in the preceding year, which had lasted six months and had caused the deaths, it was said, of over 1000 inhabitants. Towards the end of the same century, Bishop Gibson, in his edition of Camden, gives a melancholy picture of the state of things: he says, "having lost its trade, the town has lost also most of its inhabitants; and the great houses of its merchants are now dropping to the ground, and only shew its ancient magnificence." Also in a later edition, 1720, of *Magna Britannia*, we find the remark, "though there are five churches, fewer would suffice for the number of inhabitants."

² See the list in Appendix T.

highest pitch, the Customs of London and Southampton were mortgag'd to Cardinal Beaufort for £10,000.¹

All the Cornish Tin was once bro't to Southampton, and the Warehouse where it was kept is still call'd the Tin House; there was besides an Office for the receipt of the Duties upon Tin, w^{ch} is the great House next to Holy Rhood's Church. When this method of bringing the Tin hither began, or how long it lasted, I do not find; but the Tin House is mention'd in some of the Ancient Laws of the Town; and 29 Henry VIII, the Journal says A Burgess was made with a view of bringing the Tinne Trade to the Town; but they must have had it long before this, for 31 Henry VI, the King arrested all the Tin in Southampton,² and sold it to his own present use. The Office above mention'd was built about 5 Edward VI, or A.D. 1552.

CHAPTER XIV.—OF THE MENTION OF SOUTHAMPTON IN OUR HISTORIES.

The several Attacks of the Danes upon this place have been mention'd before (see Chap. II). I shall, therefore, proceed to the other accounts on w^{ch} it is mention'd in History.

And first, Geoffry of Monmouth³ tells us that during King

¹ This had been done at first in 1417, when Beaufort, the chancellor, had advanced to Henry V, who needed money for the expenses of his French campaign, the sum of £14,000 on the security of the customs of Southampton; Henry was not able to repay the whole loan, and in 1421 requested another £14,000. Later, in 1440, when Humphray, Duke of Gloucester, accused Cardinal Beaufort of mismanagement and corruption, he described him as the largest wool merchant in the kingdom, and says that Hampton was the best port. However, Parliament declared that Beaufort had acted lawfully, and granted money to pay off the royal debts.

² This event took place in 1453, when Henry VI was in urgent need of money to carry on war with France. A letter was sent to the mayor, empowering him to sell the tin and send the proceeds to the Treasury immediately, so that it could be used towards defraying the cost of an expedition to Guleune. The owners of the tin were to be referred to the council at Westminster, and if all of it could not be sold in Southampton, the remainder was to be despatched to London.

³ Geoffrey of Monmouth gives the following account of this incident: "Arthur called an assembly of all the clergy and nobility of the kingdom, in London, to ask their advice what course to take against the formidable power of the pagans. After some deliberations it was agreed that ambassadors should be despatched into Armorica to King Hoel to represent to him the calamitous state of Britain. Hoel was the son of Arthur's sister by Dubricius, king of the Armorican Britons, so that upon advice of the disturbances, he ordered a fleet to be got ready, and having assembled 15,000 men, he arrived with the first fair wind at Hamo's port, and was received with all suitable honours by Arthur and most affectionately embraced by him."

Arthur's Wars with the Saxons, his nephew Hoël, King of Brittany, bro^t him an aid of fifteen thousand men, and landed at Southampton (ad Portum Hamonis applicuit), see p. 1, Book 9, chap. 2.

The story of King Canute's reproving his flatterers,¹ by showing them that the Sea wou'd not obey his commands, is apply'd to this place as the Scene of that Action; it might indeed happen here, but I see no reason to believe that it did.

Henry of Huntingdon,² from whom Mr. Cambden, Tyrrell,³ Echard,⁴ and others take the story, says only that on this occasion the King order'd his chair to be set on the Sea shore, without naming any place. An old English manuscript History, without any Author's name (w^{ch} I have), mentions this matter, but says that it happen'd on the Banks of the Thames at Westminster, and that Canute did it out of the pride of his own Heart, and went to Rome to repent of it.

A.D. 1013.—When King Ethelred fled from the Danes⁵ he made his escape to Hamton, and went hence to the Isle of Wight, where he lay conceal'd till he could get a Passage into Normandy.

¹ The exact spot where this event took place is not agreed upon by the writers who hand down the tradition. It was thought by some to be at Northam, opposite Bitterne. Sir Henry Englefield remarks that it is much more probable that Canute's chair was placed on the "sandy shore" of the Southampton Water than in the black and oozy bed of the Itchen at Northam; and he fixed upon a site to the south of Porter's Lane, giving to a building on the north side the name of "Canute's Palace." Canute could not have used this house as his dwelling-place, as it is not older than the twelfth century, but it seems highly probable that he was frequently in Southampton looking to the defence of the coast. Another tradition located the spot further east, on the coast line which was altered when the Docks were constructed, and gave the name of Canute Road to the supposed scene of the incident.

² Henry of Huntingdon (1084-1155), who is the first chronicler to tell the story of Canute and the waves, wrote an English history based on Bede's, with help from other early chroniclers. He brought it down to the year before his death, 1154.

³ James Tyrrell (1642-1718) intended to write a "General History of England, both Ecclesiastical and Civil," from the earliest times to his own day, but at the time of his death three volumes only, to the end of the reign of Richard II, were finished. His work contains copious extracts from older historians and chroniclers.

⁴ Lawrence Echard (1670-1730) was a voluminous author; he made many translations from the classics, and wrote largely on historical and literary subjects. The work referred to here is his *History of England from Julius Cæsar to James I*, which was published in 1737.

⁵ "When King Ethelred fled from the Danes," &c. This was after the weak and foolish Ethelred had managed with great trouble to get together £16,000, with which he bribed the Danes to depart, and had consequently encouraged them to return to demand more money. In this year a very serious invasion was on the point of being made, and the English in despair made terms with the Danes, not wishing their klog, who had shown himself incapable of driving off the foe, to remain longer in the country. Ethelred accordingly went to take refuge with his wife's brother, Duke Richard of Normandy, and his subjects made submission to Seveyn.

John Hardyng,¹ who wrote a Chronicle in English Verse about the beginning of Edward IV's Reign, tells us that :—

“Alurede the soonne of Kyng Ethelrede,
With fity sailes landed at Southampton,
Wher Kynge Herold with haste hym met in deede,
Redy to fight with him for the Croune;
But certain Lordes of Englonde's Region
Betwene them treated, that Alurede went again
To Normandy to Duke Robert full plain.”—*Hardyng*, fol. 117.

I have not met with any particular mention of Southampton after the Conquest, till 22 Edward I,² when that King, making preparation for his grand expedition into France,³ summon'd Giles de Plaiz, one of the Barons, to meet him at Southampton with Horse and Arms. Many Barons were at the same time summon'd to meet at Portsmouth; that place being a branch of the Port of Southampton. Edward III took shipping at Southampton, when he went to the relief of Thouars, as appears by the Summons sent to the Barons to meet him there. In this King's Reign the Town was burn'd by the French (see Chap. III), after

¹ John Hardyng, 1378—1465, led a stirring life and was present at many of the scenes he describes. As a boy he was admitted into the household of Sir Henry Percy, and fought in the battles of Shrewsbury, Homildon, Agincourt and others. He tells us that he was commissioned by Henry V to search Scotland for official documents, and he found there a few valuable ones, for which he was rewarded by the grant of an estate from Henry VI. His close connection with the Percy family and other people of importance gives value to that part of his Chronicle which deals with the fifteenth century; the earlier part is not reliable.

² There are many mentions of Southampton in historical annals between the Conquest and the reign of Edward I, for in the period following William I's accession the town played a most important part as a link between England and Normandy. The port was kept busy as it had never been before by a continuous stream of warriors and priests on their way to, or from, the continent. There was a large number of “royal houses” within its walls, and as we find frequent mention of repairs to them in the accounts of this time, we may safely conclude that they were frequently occupied; the nearness of Southampton to the Forest, which then was “New,” doubtless attracted the Norman kings and other lovers of the chase.

Among the most important events not alluded to by Dr. Speed may be noticed the following :—

In 1087 Robert of Normandy, the eldest son of the Conqueror, coming to England to demand his rights and to claim the throne, landed at Southampton, where he was met by his brother William's envoys and induced to accept a revenue of £2,000 a year in lieu of the kingdom.

Southampton Castle in 1153 was in the hands of Henry of Blois, Bishop of Winchester, who defended it for Stephen against the adherents of Matilda; by the Treaty of Wallingford it was agreed that, after Stephen's death, it should be given up to Henry.

In 1163 Henry II landed at Southampton and met Becket here; possibly this was the last occasion on which the meeting of the two was of a friendly nature. Among other visits of the same king was one which he made in 1174, when he returned from Barfleur and landed here to begin his famous pilgrimage to Canterbury; his example was followed by thousands, and many devotees from France passed through the town on their way to Becket's shrine. This fact probably is the explanation of the name “Pilgrim's Pit,” which is found to occur frequently in town documents, the tower close to Biddles' Gate being called “Pilgrims' Pit Tower,” for near this the pilgrims must have landed.

Richard I spent the Christmas of 1194 here, and his brother John was a frequent visitor; it was later that the town obtained the privilege of the fee farm, which freed them from unlimited exactions in return for a fixed annual sum.

References to Southampton in the reign of Henry III are chiefly made in connection with the wine trade, which was one of the main sources of wealth to the town at that period.

³ The “grand expedition” was undertaken by Edward I, in consequence of quarrels which had broken out between English and Norman sailors. Philip of France had summoned Edward as his vassal to Paris to answer for his subjects' conduct, then, refusing all terms, had declared his fief forfeited. The French began the war by burning Dover; the English retaliated by destroying Cherbourg.

w^{ch} great care was taken for its Defence and preservation, as appears by the following Records in the Tower:—

Rotulus Alemanniæ de Anno 13 Edward III.

Membrana 6. De assignando Tho^m de Bello Campo, Comitem de Warwick, Superiorem Custodem villæ de Suthampton contra incursus hostium. Teste Edward Duce Cornubiæ Custode Angliæ, apud Kenington, 10^o Julii.

Membrana 4. De proclamando quod omnes qui recesserunt a villa de Suthampton redeant ad eandem. Teste præfato Custode apud Kenington, 10^o Julii.

Membrana 3. De assignando fratrem Philippum de Thame, Priorem Hospitalis Sⁱ Johannis de Jerusalem, superiorem Custodem villæ de Suthampton. Teste ut supra apud Windsore, 29 Aug^{ti}.

Membrana 1. De Assignando de Stephanum de Bitterle et Willelmum de Weston superiores custodes villæ de Suthampton. Teste ut supra, Kenington, 3 Novembris.

De assignando eosdem ad supervidendum homines ad arma et Sagittarios in comitat^s de Berkes et Wiltes deputatos pro munitione Villæ de Suthampton.

Teste ut supra.

1 Richard II.—The Town was again attack'd by the French.

2 Richard II.—John of Gaunt embark'd an Army for France at Southampton.¹

Concerning the appointment of Thomas Beauchamp, E. of Warwick, to be cheif Governor of the Town of Southampton, for its defence ag^t the enemy's Incursions. Witness, Edward, D. of Cornwall, Guardian of England, at Kenington, 10 July.

Concerning a Proclamation that all who have retir'd from the Town of Suthampton shall return thither. Witness the s^d Guardian at Kenington, 10 July.

Concerning the appointment of Brother Philip of Thame, Prior of the Hospital of St. John of Jerusalem, to be the Cheif Governor of the Town of Suthampton. Witness as above, at Windsor, 29 Aug^t.

Concerning the appointment of Stephen of Bitterle and W^m of Weston to be the Cheif Governors of the Town of Southampton. Witness as above, Kenington, 3 Nov^r.

Concerning appointing the same persons to command the men at arms and archers of the cities of Berks and Wilts assign'd for the defence of the Town of Southampton.

Withⁿ as above.

¹ This expedition was fruitless. John of Gaunt left England for St. Malo, which he besieged for some weeks, but in vain; he then returned to Southampton, much to the displeasure of the country generally; in the following year he again embarked for Brittany at Southampton.

3 Henry V.—The King embark'd his Army at Southampton,¹ where five Ships waited for him. During his stay here a conspiracy² against him was discover'd; for w^{ch} Rich^d, E. of Cambridge, and Henry, L^d Scroope of Masham, were arraign'd before a Court of their Peers constituted upon the place, and were beheaded without the North Gate. S^r Tho^s Grey, a Northern Knight, was concern'd with them, and suffer'd with them. The Earl of Cambridge was buried at God's House.

4 Henry V.—The D. of Bedford, the King's brother, gain'd a signal Victory over the French in a Sea Fight,³ in w^{ch} he took three Carricks, one Hulke, and four Ballingers; three Carricks fled, one of w^{ch} was wreck'd on the Sands, one other great Carrick was sunk before (coram) Southampton, in w^{ch} there perish'd eight hundred men in light Harneys.⁴

1 Henry V's reign was a stirring time for the town, as it was one of the most important places of embarkation for France, and the streets were thronged with great nobles and their retainers. In most respects this influx of people must have been of service to the town, especially as Henry V ordered war ships to be built here. An old Chronicle tells us of—

“Henry the Fifth what was his purposing,
When at Hampton he made the great Dromons,
Which passed other great ships of all the commons,
The Trinity, the Grace de Dieu, the Holy Ghost,
And other more which has now been lost.”

These were famous ships, and, considering the period, very large; they each cost over £500, and were highly ornamented. But against the pecuniary benefit which the town received must be set the rapacity and licentiousness of the soldiers, of whom the townspeople of Southampton, as well as those of other ports of embarkation, made many complaints. These proved to be so well founded that the captains received orders to make compensation. As the Boy in Shakespeare's *Henry V* remarked of Pistol, Nim and Bardolph, “They would steal anything and call it purchase,” and they, doubtless, acted on Pistol's principle that “Base is the slave that pays.”

2 The object of the conspiracy was to put the Earl of March on the throne. The help of the Scotch was to be obtained, and money was promised from France. However, it was possibly through the Earl of March himself that the king came to hear of the plot, and he acted with his usual promptitude and vigour. He arrived at Southampton from Westminster on August 2nd, and on the same day a jury was summoned and the verdict against the three prisoners pronounced. Sir Thomas Grey was led immediately through the town from the Watergate to the Bargate, outside which he was executed. Cambridge and Scroop claimed their right, as peers of the realm, to be tried by peers; this was allowed them, and three days later a court of peers, presided over by the Duke of Clarence, met in the town, and confirmed the sentence inflicted by the first jury. They were both beheaded outside the Bargate, Scroop being drawn to the place of execution on a hurdle, an indignity which Cambridge, being the grandson of Edward III, escaped on account of his royal blood. His body was buried in God's House Chapel, but although the tablet on the wall states that all three were buried near that spot, it is not certain that the bodies of Scroop and Grey were placed there. Henry ordered their heads to be fixed on gates at York and Newcastle respectively.

3 Before this battle took place a French fleet had advanced up the Solent and Southampton Water, and was threatening the town. One can imagine the enthusiasm with which the men of Southampton, looking back on the disgrace of 1338, would rush to the help of the Duke of Bedford to take revenge upon their enemies.

Ballinger—a small and light sea-going vessel, much used in the fifteenth and sixteenth centuries.

Carrack—a large ship of burden also fitted for war, formerly much used by the Portuguese in trading with the East Indies.

4 Henry V himself was in the town again in 1417, assembling his forces for another invasion; it is stated by some authorities that 16,000 men were encamped on the shore, and that there were 1,500 ships in Southampton Water. Three large vessels had been taken from the French; these Henry renamed and ordered to be manned each by one hundred men. On July 23rd a brilliant scene was witnessed—the king embarked on a fine carrack, beautifully ornamented, whose sail was made of purple silk, an equally grand ship was in attendance, and the two left the quay amid the blowing of trumpets and the sounds of martial songs.

to Edward IV.¹—The D. of Clarence and the E. of Warwick having revolted from the King, fled to Southampton to take shipping for France.²

Henry VII.—It appears in an old Register Book of the Corporation that John Godfrey, then Mayor, gave the Corporation credit for £40, w^{ch} he had receiv'd of the King's Grace, as a reward for taking Perkin Warbeck.³ Our Histories tell us that Perkin surrender'd from Beaulieu Abby, where he had taken Sanctuary; and the Abbot of Beaulieu or Bewly had a House in Southampton call'd Bugle or Bull Hall,⁴ where Perkin might probably reside, under the Protection of the Abby.⁵

¹ The chief events which took place in the town between 1417 and the next recorded date of Dr. Speed—1470—were as follows:—

In 1422 the Queen, accompanied by the Duke of Bedford, sailed for France with a large relief army.

In 1425 Henry VI, then a child of two years of age, was brought here under the care of the Earl of Warwick.

In 1435 troops were again assembled and a fleet was ready waiting in the harbour to carry them to France.

1445 was a very important year, for then the town received its charter of incorporation; and in the same year Henry VI's promised bride, Margaret of Anjou, visited it. "The foresaid dame Margaret landed at Porchester and wente from thence to Hampton by water and rested her ther in the Goddes hous, and thanne she wente in to the Abbey of Tychfield and ther she was weddild to King Harri."

In 1460 "The earl of Wiltshire, treasurer of England, having the king's commission, went to the town of Newbury and made inquisition of all them that had shewed favour to the Duke of York, whereof some were found guilty and were hauged and quartered. When this was done, the Earl of Wiltshire went to Southampton and there, under colour for to take the earl of Warwick, but specially for to steal privily out of the realm, as it proved afterwards, he armed and victualled 5 great carracks of Jene (Genoa) that were at that time in the port of the said town and stuffed them with soldiers of Engleishmen, taking victual of the king's price without payment, as (if) he should have made a voyage for the king, and put a great part of his treasure into the said carracks, and soon after he passed out of the port, and sailed about in the sea, dreading always the coming of the foresaid earle of Warwick and Salisbury. He arrived safely in the Netherlands and then sent the soldiers back."

(The above extracts are taken from an old English Chronicle, edited by the Rev. J. Silvester Davies).

In 1461 Edward IV was here and granted a charter (see summary of Chap. X). The town gave him a present, a pipe of wine worth £4.

² The alliance between Edward IV's most dangerous enemy, Warwick, "the king-maker," and his brother George, Duke of Clarence, had been made the previous year, 1469, and strengthened by the marriage of Clarence to Warwick's daughter. When in 1470 Edward denounced them as traitors, they fled to Southampton, in order to escape to France, but were defeated, and about twenty of their followers, who were taken prisoners, were put to death by order of Tiptoft, Earl of Worcester, their bodies hanged, drawn and quartered, and the various parts exposed in the town as a warning against disloyalty.

³ This cannot be verified; perhaps the hook referred to here has been lost. It is certain, however, that Warbeck, deserting his Cornish men, fled and took sanctuary in Beaulieu Abbey, from which he was lured by the promise that if he gave himself up to Henry VII his life would be spared; he was then taken to London, where, though kept a prisoner, he was at first treated kindly. It was not until 1499, two years later, and after he had made two attempts to escape, that he was put to death.

⁴ Bugle Hall was a very fine and ancient mansion, occupying that part of Bugle Street which is opposite St. Joseph's Church. In the thirteenth century there existed a house called the "Bole hous," which was the property of God's House. It was probably rebuilt by Thomas Wriothesley, Earl of Southampton, and was for some years the residence of the Earls of Southampton. In the latter half of the eighteenth century it was used for a poorhouse; in 1791 it was completely destroyed by fire.

⁵ It is curious that Dr. Speed makes no mention of Henry VIII, for he paid the town several visits. One in 1512, when he came to review the troops which were assembled here in readiness for an expedition to France in aid of Ferdinand of Spain. Another in 1517, when he wrote the well-known letter pleading the cause of his "trusty and well beloved servaunt Wyllyam Symonde" with the widow Cowart, whom the said Symonde was desirous to "honour by way of maryage before all other creatures livings," and enclosing her "a tokenne praying her to intender the matter accordingly." The letter was successful in gaining the consent of the lady.

When Philip of Spain came to England¹ to espouse Queen Mary, he landed at Southampton.

BEVOIS OR BEVIS.

I shou'd be thought guilty of an unpardonable omission if I shou'd pass over our Champion Bevis or Bevois without some notice, tho' I confess I know very little of him.

Mr. Cambden,² speaking of the Earls of Southampton, says that about the coming in of the Normans, one Bogo, or Beavoysse (Beavotius), a Saxon, had this title, who at the Battle of Cardiff in Wales engag'd the Normans. He was a man mightily fam'd for his Valour and Conduct; but while the Monks endeavour'd to extol him by legendary Tales,³ they have obscur'd and drown'd his truly noble Exploits.

In another place he says that Duncton or Dunketon (now call'd Downton) is reported to be famous for being the Seat of Bogo, or Beavois of Southampton, who being much celebrated by the Bards for his Valour is reckon'd by the common people among our great Heroes.

The Peerage of England says: Beauvis, a Saxon, was Earl of this County in the time of the Norman Conquest; he fought the

¹ Philip of Spain arrived at Southampton on July 20th, 1554, and was met by Queen Mary's gentlemen, who invested him, by her command, with the insignia of the Order of the Garter. On landing he was received by the Mayor and Corporation, who offered him the keys of the town, and a palfrey richly caparisoned was brought to him, on which he mounted and rode to Holy Rood Church, where he heard mass and returned thanks for his safe arrival. He was lodged near the Watergate, and remained three days in the town, during which time he appears to have done little but hear mass at Holy Rood and drink beer. He made a very unfavourable impression on the townspeople by his ungracious manners. The only thing which is said to have elicited from him any expression of satisfaction was beer, and when he dined with the English lords on Sunday, he made a Latin speech, in which he praised English ale very highly. On July 23rd he rode to Winchester, accompanied by a splendid retinue, and two days later he was married to Mary in the Cathedral.

² Camden's account is as follows:—"Bogo, or Beauvois, Earl of Southampton, who at the time of the Conquest was a powerful Saxon lord of that spirit that he could not bear the Norman yoke, and therefore, gathering an army of English, Danes and Welsh, resolved to maintain his liberty. The Normans gave him battle at Cardiff, 1070, and defeated him, whereupon he fled to Carlisle, and we hear of him no more. After this Beauvois we find no person bearing this honour till Henry VIII conferred it on William Fitzwilliam."

³ "Sir Bevis of Hamtoun" is one of the best known mediæval romances; it was very popular, not only in England, but also on the continent. The legends associated with Bevois were first put into writing in France, where there exist three poems and one prose version; thence the story was carried to Italy, where there are six versions, and also to other countries. We find the same story told in Scandinavian, Welsh, and even Slavonic. The earliest English version dates from the beginning of the fourteenth century; the author, who is unknown, evidently took it from the French, for he makes many allusions to the French poem; however, he condenses his work into 4110 lines, a comparatively short composition for this style of writing, many metrical romances being twice as long. The writers of the Middle Ages frequently allude to "Sir Bevis of Hamtoun"; Chaucer, among others, does so.

Considering the close connection that existed between Southampton and Normandy in the centuries immediately following the Conquest, it is not unreasonable to conclude that the minstrels carried the story over to France, and as the narration of thrilling and impossible adventures suited the taste of the times, it became well known and received additions from subsequent story-tellers. Then, too, the spirit of Christian chivalry pervading it, the description of warfare against the Saracens in defence of the Cross, would contribute to its popularity with the hearers of that day.

great Battle in South Wales against the Normans, but having ill success he fled to Carlisle. This is that Beauvis of Southampton whose Valour was so great that the Monks by their fictions have render'd it suspicious.

Mr. Speed allso calls him Bogo, and gives his Arms in the Map of Hampshire, but neither he, nor Mr. Cambden, nor the Peerage quote any authority for the existence of such a man; if there were any such, I much doubt of his being Earl of Southampton, because he is not mention'd in Dugdale's Baronage, where we have a List of those Earls before the Conquest, as well as since.

The Story told of him here is that he fought with a Giant nam'd Ascapart, on the Sea Shore near the Town,¹ and that Ascapart struck at him with his Club, but missing his Blow, the Club stuck fast in the Mud, and that while he was pulling to get it out, Bevis dispatch'd him with his Sword.

The name of this Giant leads me to a conjecture that may account for this part of the Story.

¹ This incident of the fight of Bevis with Ascapart is a very small part of the story, the main outlines of which are as follows :—The father of Bevis was

“Guy of greate renouwe,
Erle he was of Southamptowne,”

who has married a lady much younger than himself; she has no affection for her husband, and when Bevis is seven years old she persuades her lover, Sir Murdour, to assassinate Sir Guy, for which Bevis dares to remonstrate with her. In consequence his mother tries to get him out of her way, and manages to have him sold as a slave and taken to the court of Ermyon, a Saracen king. Here Josian, Ermyon's daughter, falls in love with him, and Ermyon, admiring his deeds of valour, promises him the hand of his daughter on condition that he renounces Christianity, but Bevis refuses. A quarrel with the Saracens ensues, in which, single-handed, he kills sixty of them, and is, in revenge, thrown into prison, where

“Bread or corne had he none
But of water he had great wone (abundance),
Rats and mice and such small deer
Was his meat that seven yere.”

At the end of the seven years he is released and kills a terrible boar, which had been devastating the land around; then he marries Josian, and together they leave her father's court. The first adventure is a meeting with two fierce lions, but “at one stroke he slew them both.” Next they meet the redoubtable Ascapart, who

“Was both mighty and stronge,
He was full thirty feet longe,
He was brysted like a sowe,
A foot there was between every browe,
He was lothely to look upon,
Lyker a devil than a man.”

Ascapart says he is sent to bring back Bevis prisoner; Bevis, however, objects, and they fight, Bevis using his good sword Morglay. Ascapart slips and lies on the ground; Josian intercedes for his life, “let him live and be your slave.” Ascapart thus becomes their servant, and they journey on till they reach Cologne, where the bishop wants to baptise him and Josian. The two assent, a ton of water being prepared for the christening of Ascapart, who objects to being drenched, and resists, which causes the onlookers much amusement.

“The people had good game and langhe,
But the byshoppe was wrathe yonghe,”

as is natural, when his convert addresses him thus—

“Churl, wilt thou me drenche,
The devyl of hell thy hane be,
I am too much to be christned I tel ye.”

After their return to England Bevis collects a large army with which to fight Sir Murdour; a

The ancient Histories of Mercia tell us that about A.D. 819, Cenelm or Kenelm, a youth, was King of Mercia, and that his sister Quendrida employ'd one Ascobert to kill the young King, that she might enjoy his Kingdom.

Will^m of Malmesbury¹ tells us that A.D. 806, the Mercians invaded the Kingdom of the West Saxons, and were entirely defeated at Hellendune² (which some suppose to be Wilton, others Highworth, both in Wiltshire). Now, if we suppose that Ascobert was a General in the Mercian Army, and that Bogo or Beavois liv'd at Downton, he might probably command the Wiltshire forces, and be a great contributor to the Success of that Battle; and the name of Ascobert is so much like that of Ascapart, that this Victory might be the foundation of the Legendary Story of a Fight between Bevis and Ascapart.

But the Notion that people here have allways had of Bevis implies a nearer connexion with the Town, and some extra-

battle ensues, in which Ascapart seizes the murderer and carries him back to the castle, where Sir Bevis

"Made a cauldron on the fyre be set
Full of pitch and of hrimstone,
When the cauldron boyled harde,
Murdour was cast in mydwards."

Murdour's wife, hearing of his terrible end, falls from a tower and breaks her neck.

After this victory, Bevis comes to Southampton to take possession of his lands,

"The burgesses with muche pryde
Against Sir Bevis gan they ryde
And broughte Sir Bevis fayre and well
To Hampton to his owne Castelle.
Of Hampton all the baronage
Came and did Sir Bevis homage."

But after a short period of rest and happiness, Bevis' troubles begin again, for King Edgar's son coveting Arundel, his wonderful horse, attempts to lead him from the stable, and Arundel kicks his brains out. Edgar vows in revenge that the horse shall be killed. Bevis, in order to save him, offers to give up his possessions and to go into exile. Then, disgusted with his master's falling fortunes,

"This Ascaparte false was he,
For Bevis was fallen in poverté,
When a man in poverté is falle
Few friends meeteth he withail."

However, Ascapart pays for his treachery with his life.

Various other adventures are described as taking place in the years which follow; the twin sons of Bevis grow up, and the elder marries King Edgar's daughter. After living in peace for seven years, Bevis and Josian die on the same day, and on this day, too, Arundel is found dead in his stable.

"Thus endeth Bevis of South Hamptoe,
Kynge and knyght of great renowe."

¹ William of Malmesbury was born about the year 1080, and died in 1143. He was brought up in Malmesbury Abbey, where he spent, as a boy, most of his time in the library. Afterwards he became librarian there. He tells us that, not being satisfied with the writings of old, he began to write himself, and being a man of unbounded energy and great reading, he produced many works, the most important of which, and the one referred to here, being his *Gesta Regum Anglorum*, which traces the history of England back to its origin, and ends with the year 1128. He afterwards continued his narration in his *Historia Novella* as far as the year 1142. It is written in an interesting way, but many of the stories he relates are irrelevant and improbable; however, it furnishes the best material to be found for the history of Stephen's reign.

² Evidently here is an error in the date. The Battle of Ellendune was fought in 823 between the Mercians, under Beornwulf, and the West Saxons, under Egbert, and resulted in the total rout of the former. Ellendune is most probably Allington, near Amesbury, in Wiltshire.

ordinary feat of Valour perform'd in its neighbourhood. There is a hill about a mile out of the Town, still call'd Bevis Hill, under w^{ch} that Heroe is reported to be buried. I shall speak more of this Hill under the Article Clausentum.

I apprehend that the supposition of his particular connexion with the Town arose from an old Seal¹ of the Mayor's Office, now out of use, the inscription of w^{ch} is "Sigillum Majoratus ville Suthamptune beu ys." What the meaning of the two last words is I have not been able to discover, nor does it much signify to my present purpose, but I think it not unlikely that the fancifull turn of the Monks might, from the likeness of those words to the name of the Champion, w^{ch} is frequently wrote Bevis, prompt them to endeavour to monopolise him for the Town. This is all the account I can give of Bevis.

CHAPTER XV.—RELIGIOUS HOUSES, HOSPITALS, &c., WITHIN THE TOWN AND ITS PRECINCTS.

THE PRIORY OF ST. DIONIS.

Bp. Tanner² ascribes the foundation of this to Henry I about A.D. 1124, and he quotes the Monasticon³ to prove it. That King⁴ might be their Founder, but the Monasticon says no such thing, the Grant quoted being only an endowment of Lands, and the Grant itself mentions the Canons as being there before. Their cheif possessions were the Mannor of Porteswood, some

¹ This old seal is not to be found now among those preserved in the Audit House; however, it is quite probable that "beu ys" may stand for Bevois; for, on some of the Borough and tradesmen's money tokens issued in the seventeenth and eighteenth centuries, the name is to be seen under a head, with or without a helmet, which is evidently intended as a representation of that hero.

² Bishop Tanner.—See note, Chap. VI.

³ *The Monasticon*, the first volume of which appeared in 1655, is an immense work dealing with English abbeys and cathedrals; it contains copies of the charters of foundation of most of the monasteries, gives a list of donations made to them, and supplies a vast mass of information about churches generally. It was compiled by Dugdale, an adherent of Charles I, who held an appointment in the Herald's Office. The last volume was issued in 1673, in the midst of the no-Popery agitation; it caused a great outcry from the extreme Protestant party, who feared that the published details of property taken from the Catholics during the Reformation might aid them, at a time when it seemed probable their religion might be restored.

⁴ Henry I was the founder about the year 1124; he granted to the canons part of the land lying between Porteswood and the Itchen, also a part further south which was close to the sea on the east part of Hampton.

other Lands¹ in the neighbourhood, some Houses in the Town, the Churches of the Town (see Chap. XII), and the Church of Cheleworth.

6 Edward III they had a Grant :—

<p>Pro uno dolio vini rubei pro celebratione Missæ annuatim percipiendo in Portu de Suth- ampton a Pincerna Regis ibidem.</p>	<p>For one cask of red wine for the Celebration of the Mass, to be received yearly in the Port of Southampton of the King's Butler there.</p>
-----------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------

This was Prisage Wine.²

Here were a Prior and nine Canons at the Dissolution³; their Estates were valued at £80 : 11 : 6. The Site with the Mannor of Porteswood was given to Francis Dawtrey, Esq^r, and is now possess'd by Tho^s Wood, Esq^r.

THE CHAUNTRY OF ST. MARY'S.

Tho' this be at present consider'd meerly as a Parish Church, yet there is great reason to beleive that it was originally a Collegiate Church,⁴ though the writers on such Subjects make no mention of it in that Light; and all the Deeds and Writings relating to it were burn'd with the House about the end of the last Century.⁵ It was in the hands of the Crown till after the Restoration, and the Tithes were leas'd out by the Crown, and probably it came to the Crown at the Dissolution. I have seen many Receipts dated in Qu. Elizabeth^s time, from a Widdow

1 "Some other lands." These were acqurled later. Baddesley was obtained in the reign of Stephen, also the manor of Northam; Richard I gave the canons Kingsland and a "wood called Porteswood"; they also held land in East and West Magdalene, part of the Hoglands and Lobery Mead. They held numerous houses in the town, and in what was then suburbs, e.g., in Levedon, which lay between Goswell Lane and the stream which fell into the sea at Achard's Bridge, and in Niwetone Street, which is now Orchard Lane; but in spite of their property the Priory was never wealthy, and on account of their poverty, the canons were granted permission in 1294 to serve the churches of Shirley by a secular priest.

2 Prisage wine.—See Appendices N and O.

3 The dissolution took place, with that of the lesser monasteries throughout the country, in 1536. In 1538 not only Portwood Manor, but Northam, Lockerley and other smaller estates also were given to Francis Dawtrey. Before it was held by Thos. Wood, Esq., it became the property of the Earl of Peterborough, and afterwards passed through the hands of several owners. At the beginning of the nineteenth century many remains of the Priory could be seen, now there is left but one fragment of ruined wall.

4 By a Collegiate Church is meant a church built and endowed for a society or body corporate, consisting of a dean or other president and secular priests, canons or prebendaries. There were many of these societies before the Reformation; they were distinct from the religious houses, and they were independent of a cathedral.

5 The history of St. Mary's is, on many points, very obscure, owing to two fires in which the ancient books of the church were destroyed. The Deaunery, which stands on the site of the old chantry building, was burnt in 1706, re-built soon after, and again destroyed by fire in 1811.

Lambert for her Jointure, payable out of the Parsonage of St Mary's, by S^r Oliver Lambert, who, I suppose, was her Son, and the Lessee under the Crown; and when the Chappell at Peartree was built,¹ A.D. 1620, or soon after, the Minister of St. Mary's was apply'd to for an allowance to the Curate of that Chappell, it being in his Parish, but his answer was that the Tithes of St Mary's were then leas'd out by the Crown for 99 years, w^{ch} made his Income so small that he cou'd not afford to pay anything to the Curate of the Chappell.²

A.D. 1611.—S^r Oliver Lambert, above mention'd, sent to the Corporation, as appears by their Journal, to enquire if they had in their hands any Leases or Conveyances granted by the Chaunter, Chaplyn and Clerks of the Church or College of St Marie's, near Southampton, with the Picture of the Virgin Mary for their Seal, but no such appear'd.

Notwithstanding which, the large extent of the Gardens and Demesnes, now call'd the Glebe, appear to be rather calculated

¹ The history of the foundation of Jesus Chapel, commonly called Pear Tree Green Church, is very interesting, and the form of service now generally used at the consecration of churches and burial grounds is based upon that which was drawn up and read by Bishop Andrews in 1620, when he consecrated this chapel. The following extract, translated from the preamble to this consecration service, shows the necessity of building a church at Pear Tree; it is difficult to recognise our peaceful Itchen Ferry, however, in the description:—"It is seen that the church of the Blessed Virgin Mary, close to the town of Southampton, has fallen into ruins, only the chancel being left for the sacred rites; few churches near are mentioned, and the parishioners, scattered about here and there, live in villages which are separated from the Church both by a long distance on land and also by an estuary, which is dangerous some way up from the sea. In consequence of the difficulty of reaching church, unhappy negligence and contempt for divine service have made an easy conquest of the minds of the profane multitude; and even excellent and virtuous men, diligent seekers after God, and zealous for religion, have often been delayed in crossing, and this has been impossible to avoid without mortal peril. When the zealous Richard Smith, Esquire, who was inspired by Heaven and endued with a mind almost heroic, perceived this, and that he, too, was involved in this common misfortune, he wiped out this disgrace to religion by expending £500 or more of his own money, and on the other side of the river he erected a noble chapel, which he vowed to dedicate to God and His divine service."

Then follows an account of the ceremony, which is too long to be given here in full, and is therefore abridged. On Sunday, September 17th, 1620, at 8 a.m., Bishop Andrews, attended by his chaplains Mathew and Christopher Wren (the latter the father of the architect of St. Paul's Cathedral), entered the chapel, donned his robes and issuing forth, demanded of Captain Smith his will, upon which was read a statement of the reasons which had prompted the donor to build the chapel, the difficulty of crossing the river, &c. After which the Bishop asked Captain Smith if this was his desire and that of his neighbours. Captain Smith answered "Yes," and then followed the consecration service, including the laying-on of hands of the font, pulpit, altar and other parts of the Church. After other prayers read by the Bishop, Psalm cxxii was sung, the Holy Communion celebrated, and a sermon preached. Then the Bishop read the act of consecration, in which it was shown that the rights of the mother church must be preserved. Although all the rites could be solemnised in the chapel, the dues thence accruing were to be paid to the Rector of St. Mary's, and Richard Smith, his heirs and neighbours, on the first Sunday in each season, when the river should be passable, were to attend St. Mary's and there communicate. It was also stipulated that no one west of the Itchen was to attend the chapel without the Rector's permission. Captain Smith undertook to allow the Curate in charge of the chapel a stipend of at least 20 marks, and the Bishop reserved to himself the power of appointing a curate, if at any time six months should have elapsed without the patron's doing so. The offertory on this occasion amounted to £4 : 12 : 2, which the Bishop ordered to be set apart for melting down into a chalice. When the service was over, the whole congregation adjourned to Captain Smith's house for breakfast, after which they returned to the Chapel, and the churchyard was consecrated.

² In 1646 an allowance of £40 a year was made to Jesus Chapel out of the tithes of St. Mary's, which had been sequestered from Lord Lambert, a delinquent.

for the use of a Society than of the Rector of so small a Parish as S^t Mary's alone is. And the Rector's being the Impropriator and Patron of the Church of South Stoneham, his having the Tithes of the Rectory of All Saints in Southampton, and several Houses in the Town, all bespeak a probability of its having been once the Seat of a Religious Society endow'd with the several Estates above mention'd, tho' the proofs of this are now lost.

A.D. 1653.—It appears from the Corporation Journal that the House call'd the Chaunter's House was sold by the Parliament to John Bankesford, and it is said that it was a Chauntry founded by Nich^s Holmage and his wife, in the Parish Church of S^t Mary's, without the Town of Southampton. This Nich^s Holmage was one of the Bailiffs of the Town A.D. 1441, or 20 Henry VI, and Mayor in 1455, or 33 Henry VI; he did indeed leave a Legacy for a Priest to sing for his Soul at S^t Mary's Church, as will be mention'd hereafter, w^{ch} was in those days call'd a Chauntry, but one such Chauntry, the annual endowment of w^{ch} was only £6 : 13 : 4, to be paid by the Corporation, cou'd never give this Church the general Title of The Chauntry, there having been such Foundations in many Parish Churches; there were several at Southampton, some of w^{ch} were only for a certain Term of years, but there was a perpetual one at Holy Rhood's, founded by Tho^s Payn, who was cotemporary with Nich^s Holmage, of the same annual value as the other; so that Holy Rhood's Ch. was as well entitled to the appellation of The Chauntry as S^t Mary's was on that account; whence it is probable that there was some reason of more consequence for giving that Title to S^t Mary's, and till a better appears the above conjecture may serve.

The Reason the Corporation Journals take notice of these matters is that A.D. 1647, The Chauntry House was let upon Lease to the Corporation, together with the Tithes, Profits and Appurtenances of the Chauntry, by Walter Rought, Minister of it. A.D. 1648, The Chauntry Rents amounted to £118 : 1 : 6.

The same year the Ministers of the Town were paid out of the Chauntry Means. This was by order of the Commiss^{rs} for plunder'd Ministers; when that Committee was dissolv'd this payment was stopp'd, and was reviv'd again in 1653 by an Order from the Council of State. See a copy of this last Order in the Appendix H.

I suppose it was during this Interval of the Tithes being in the

hands of the Crown that the Church went so much to ruin.¹ It is set forth in the Papers concerning Peartree Chappell above mention'd that the Parish Ch. of St Mary's was in so ruinous a condition that only the Chancel was us'd, and that was too small to hold the Congregation. The Journal says that A.D. 1579, or 21 Elizabeth, The inhabitants of the Town rais'd a contribution towards building St. Mary's Church.² Perhaps the Chancel was repair'd at that time, for the above complaint was 40 years after this.

Soon after the Restoration Archdeacon Clutterbuck, being Rector, recover'd the Tithes from the Crown Lessee, probably for want of proof that it had ever been a Collegiate Church. And his Successor, Archdeacon Brideoake, set on foot a Subscription for new building the Church, by w^{ch} it was put in its present condition. He also new built the Parsonage House, w^{ch}, as is said before, had been burnt.

As to this being the Mother Church of the Town, it is an idle whim, for it never stood in the Town. Mr. Leland calls it the Mother Chirche, but he was often impos'd on by groundless Traditions.³

¹ There is a marginal note as follows :—"Mr. Leland speaks of a Chappell of St. Nicolas at the East end of St. Marie Chirche in the great Cemiterie where constant Fame is the old parish Chirch stood, but there is not the least remain of it now. He says, too, that one Matilde, Queen of England, built the Chirch of St. Marie, and that she or some other good persones following had thought to have made this a Collegiate Chirch, but this purpose succeeded not fully."

This seems to imply that the chapel of St. Nicholas, which Leland calls "a poor and small thing," was part of the original parish church, or it may have been a small chapel erected on its site. The Matilda referred to must be "good Queen Maud," the wife of Henry I, who was noted for her works of charity and devotion. The story goes that she visited the town, and seeing a number of people walking about outside St. Nicholas' Chapel, asked why they did so, and being told that it was on account of lack of room inside, promised to build a new church. If this tradition can be relied on, the "great church of Our Lady" which Leland mentions must be the one she built. Soon after the time (1546) he wrote, the church was in ruins, for in the Court Leet Book of 1550 is an order that some of the "rubbish" of St. Mary's Church is to be carried off to make "the highway from Bargate and all East St. down to the turning of the chauntry." There is no information in the town records as to this change, but in Speed's *Theatre of Great Britain* it is said that "a goodly church, St. Mary's in the east without the walls, was pulled down, for that it gave the French direction; instead thereof is now newly erected a small and unfinished chapel." It seems probable that this was done in 1549 or 1550, as the French were making attacks upon the coast at that time.

² The total amount collected, according to the town books, was only £68 : 17 : 4. This may have been enough to enable the authorities to put up the "small chapel" mentioned by Speed, and it also accounts for the fact that it was "unfinished." The town Journal of 1650 ordered that the "chappell of St. Maries, which is much in decay, shal be repayred forthwyth," but nothing was done until 1711, when Archdeacon Brideoake raised enough money to rebuild the nave, which was joined to the old chancel, and in 1723 the chancel itself was rebuilt. This fabric was much altered and enlarged, but not improved, in 1833, when the parish had increased very much, and it was this building, of a type of architecture that defies description, which was pulled down to make room for the present Wilberforce memorial church of 1878.

³ Dr. Speed is wrong as to this, and Leland right. St. Mary's is the mother church, as can be proved from the following facts :—Though St. Mary's is not mentioned by name in Domesday, there is no doubt that it is alluded to under the name of the manorial church of South Stoneham, for the present St. Mary's, South Stoneham, was not built till the twelfth century, and Richerius, the holder of this manorial church, by right of his benefice, possessed all the tithes of the town. Now the Rector of St. Mary's has always presented to the Vicarage of South Stoneham, and has possessed all the town

THE HOSPITAL OF ST. JULIAN OR GOD'S HOUSE.

Bishop Tanner¹ tells us that this Hospital was founded by two Merchants who were brothers, called Gervasius and Protasius de Hamtone; they converted the House where they dwelt into an Hospital for poor folks, and endow'd it with Lands in the time of Henry III.,² and it was augmented by several Benefactors.

6 Edward III.—All the Donations to it were confirm'd by Charter, in w^{ch} there is mention made of Gervasius de Hamtone, but none of Protasius.

It had a Warden,³ who was to manage the Revenues of it, and to provide for the poor people who had Lodgings in it, but the number of them is not mention'd; at present there are four Men and four Women, who receive 2^s a week each; there are apartments for more, but they are put to other uses now. They had probably a Chaplain and Servants.

The Chappell was dedicated to St Julian.⁴

The Patronage of it was originally in the King, but 17 Edward III, Queen Philippa having about that time founded

tithe. Then, again, the chapels mentioned by Henry II, of Holy Rood, St. Michael's, St. Lawrence and All Saints, must have been under some mother church, and this was most probably the same manorial church of South Stoneham. This is confirmed by an agreement, made in 1225, to settle a controversy about tithes, which had arisen between Philip de Lucy, who was called the "rector of the church of Southampton," and the Prior of St. Denys. It was decided that the chaplains of the churches within the town walls should swear faithfully to preserve the honour of St. Mary's, and not deprive it of the rightful dues which belonged to the mother church. From which evidence it may be concluded that the whole district round Southampton was originally one parish, of which the church was St. Mary's; and in the Middle Ages the town churches were simply chapels of ease, for their chaplains did not dispute in early times the relation in which they stood to the mother church; later on attempts were made to evade obedience to the Rector of St. Mary's, but on each occasion the discontented clergy were reminded that the chapels of the town had been from ancient times subject to the mother church.

1 Bishop Tanner, see above.

2 The Hospital was founded before the reign of Henry III. The earliest document relating to it is a charter given by Richard I in 1186, by which he confirms to the Hospital and the poor who lived in it the property which had been given to it in 1185 by Gervase le Riche. There is no mention of a brother called Protasius, but tradition says that the founder made his brother Roger warden of it.

3 The post of warden was generally held by a secular priest, who had some other appointment, *e.g.*, Henry de Bluntesdone, Archdeacon of Dorset, who gave the conduit head at Hill to the Friars Minors, was warden at the beginning of the fourteenth century. The Hospital possessed lands in different parts of Hampshire, and even in Dorset and the Isle of Wight, and the wardens frequently lived on these estates. The number of inmates varied; at the beginning there were two priests, two or three brothers, three or more sisters, some poor men and women, and various servants. Some interesting details have come down to us as to the different allowances received by the inmates; *e.g.*, in the thirteenth century the poor brethren were given, in addition to their food, one farthing each every other day, and the sisters were allowed one farthing a day for clothing; if they abstained from animal food they were given an extra farthing a day.

4 St. Julian was the patron saint of travellers; it is an appropriate name for the Hospital, for there were often received within its gates pilgrims and travellers on their way to, or from, the Channel Islands and France, and especially those whose destination was the shrine of St. Swithun at Winchester, or of St. Thomas at Canterbury.

Queen's College in Oxford,¹ the King complimented her with a Grant to this Hospital to the Society of her new College as Guardians of it, for the following purposes, viz. :—

That after the Expences of the Hospital, according to the original intent of its Foundation, were answer'd, the Surplusage shou'd be apply'd to build a place within the s^d Hospital for the reception of such Scholars of Queen's College as shou'd be troubled with any incurable Disease or decay of Body ; and to encrease the number of Scholars in that College, if the Surplusage shou'd be sufficient to answer those purposes. The House was built and is now let out upon Lease by the College.

All the Estates w^{ch} that College have in these parts (except the Patronage of Holy Rhood's Church) belong'd to this Hospital, as did likewise their Mannor of Shireburne² in Hampshire. Shireburne had been an alien Priory, and was granted to this Hospital by Edward IV in his 1st year, for the benefit of his Soul, and the Souls of his Ancestors, particularly those of Rich^d, Duke of York,³ and Rich^d, Earl of Cambridge, w^{ch} last was buried in the Chappell of this Hospital.

This Hospital was in the hands of the Crown in Queen Elizabeth's time, and probably had continued so from the Dissolution.⁴ But in that Queen's Reign, Fra^s Mylles, Esq^r, who had been educated at Queen's College, and afterwards came to be Secretary to S^r Fra^s Walsingham, by his Interest got it, with all its appurtenances, restor'd to the College by a new Grant from that Queen.

THE CONVENT OF FRIARS MINORS,⁵ COMMONLY CALL'D THE FRIARY.

Both Bp. Tanner and the Authors he quotes give a very imperfect account of this House ; they all ascribe the foundation of it to K. Henry III. It was founded in his time, and he might

¹ Edward III confirmed the grant of the Hospital to Queen's College in 1347, and in consideration of the fact that a great part of it had been destroyed in the French invasion of 1338, he made it free for ever from toll, portage, murage, tallages, &c., which had formerly been due to the Crown.

² The Priory of Sherborne was situated in Hampshire, to the north of Basingstoke ; all that remains of it now is a chancel with a central tower, which is used as the parish church of the little village of Pamber, not far from Mook Sherborne.

³ This Duke of York was the father of Edward IV. He was killed at the battle of Wakefield in 1460.

⁴ This statement appears to be quite incorrect, for owing to the fact that the custody of the Hospital was in the hands of Queen's College, it was not suppressed. In Edward VI's reign it seemed in danger, but the College petitioned that it should not be molested, and the petition was granted.

⁵ See Chap. VI.

contribute towards it; but the Register of the House, which is preserv'd in the Town Audit House, gives a different account of its Foundation¹. I shall transcribe it at large, both as a Curiosity and as the most authentic account, so far as it goes, of this Convent.

Obiit Isabella Chekehull, quæ Fratribus Minoribus hujus loci contulit arcam unam Anno Dni. 1253 (37 Henry III) et quæ fuit principalis Fundatrix hujus Conventus.

Isabel Chekehull died, who gave to the Friars Minors of this place one plot of ground A.D. 1253, and who was the cheif Foundress of this Convent.

There is no date of the time of her Death.

Sequuntur Constructiones Coventus ejusdem.

Here follow the Buildings of the same Convent.

A° Dni. 1280. In crastino Translationis b-ti Thome Martyris, positus fuit primus Lapis in fundamento Capelle Fratrum Minorum Suthampton.

A.D. 1280. On the morrow after the Translation of S^t Tho^s the Martyr, the first stone² of the foundation of the Friars Minors of Suthampton was laid.

A° Dni. 1287. In Festo beati Francisci, intraverunt primo Fratres novam Ecclesiam de Suthampton, et pavit Fratres et omnes amicos eorum ibidem existentes illo die Johannes filius Thome tunc Ballivus nove Foreste et Petronilla uxor ejusdem.

A.D. 1287. On the Feast of S^t Francis the Brothers first enter'd their new Church at Suthampton; and John the son of Tho^s, then Bailiff of the New Forest, and Petronilla his wife, gave a treat to the Brothers and all their friends that were there that day.

This Chappell stood upon the very Spot on w^{ch} a Sugar House has lately been built³, and was a spacious Building.

¹ Bishop Tanner's account does not necessarily contradict the Register, for it is possible that Henry III may have founded the convent and Isabel Chekehull added to its land. But from an old document dated during the mayoralty of Benedict, the son of Azon, it may be inferred that it was in existence by the year 1237.

² The Friars were forbidden by the rules of their order to have substantial buildings of stone as inconsistent with their profession of poverty, consequently their dwelling houses and chapels at first were mere hovels of clay and wood. In Southampton, through the generosity of some of the burgesses, cloisters of stone had been erected, but the head of the English orders insisted on their demolition. Later on the severity of the rule was somewhat relaxed, so the chapel was allowed to be built of stone.

³ The Sugar House stood on the place where the carpet factory now is, i.e., immediately to the north of Gloucester Square, and adjoining what is now called the Lower Back-of-the-Walls. It was also close to the Hospital of St. Jullan, for as the Friars were expected to minister to the poor, they generally placed their convents amidst wretched surroundings.

A° Dni. 1291.

In Nativitate Domini intra-
verunt Fratres novum Dormi-
torium.

A° Dni. 1291. Extractum
fuit Capitulum.

Hoc die inciperunt Conduc-
tum Aquæ.

A.D. 1304.

Sequuntur nonnulla concer-
nentia Bonum Conventus Frat-
rum Minorum Suthampton.

Imprimis, A° Dni 1309,
quarto Nonas, hoc est secundo
die Junii, inciperunt Fratres
operari in capite Aquæ ductus
de Elemosina dati per Dom-
inum Henricum de Bluntes-
done, Priorem Domus Dei et
Archidiaconum Dorsetiæ et
quondam Elemosinarium Dom-
ini Edwardi Regis Angliæ Filii
Dni Henrici tertii quondam
Regis Angliæ et Alienore
uxoris sui que recepit Habitum
Monachalem apud Ambrebire,
et ibi est sepulta, et Cor ejus
London apud Fratres Minores
venerabiliter est humatum.

Sequuntur Consecrationes.

A° Dni. 1311. Several Altars were consecrated.

A° Dni. 1382. Consecratum
est Cimitorium.

A.D. 1291. On the Nativity
of our Lord, the Brothers
enter'd their new Dormitory.

A.D. 1291. The Chapter
House was built.

This day they began the
Water Course¹.

A.D. 1304.

Here follow some things
which concern the good of the
Convent of Friars Minors at
Suthampton.

Imprimis. A.D. 1309, on
the 4th of the Nones, that is the
2nd day of June, the Friars
began to work on the Conduit
Head given to them by the
Charity of Hen. de Bluntes-
done, Prior of God's House
and Archdeacon of Dorsetshire,
and formerly Almoner to the
most famous Edw., King of
England, son of our Lord Hen.
III, formerly King of England,
and Eleanor his wife², who
took the habit of a Nun at
Ambresbury, and was buried
there, and her Heart was with
veneration interr'd at the
Friars' Minors Convent in
London.

A.D. 1382. The Church-
Yard was consecrated.

¹ For the water course and conduit head see Chap. VI.

² Eleanor of Provence, the wife of Henry III, was very unpopular in England on account of the number of relations she brought over from France, and the extravagance of the demands made by them on the English treasury. She took the veil at Amesbury, after Henry's death in 1276, and died there in 1291. The monastic chroniclers of the time reproach her for not resigning her possessions to the church on becoming a nun, but she was unable to do this probably on account of her debts, which Edward I ordered to be paid after her death.

Then follows as under.

Obiit Robertus Meucir qui emit Arcam Fratribus supra quam extructa est Ecclesia. A° Dni. 1314. Obiit Dnus Henricus de Bluntesdone A° Dni. 1316. Iste duxit Aquam de Colewelle ad locum Fratrum.

Hoc die debent Fratres specialiter orare pro animabus Nicolai de Barnfleet et Agathe et Alicie uxorum ejus, pro fonte de Colewell, sicut in Charta de Dono ejusdem Fontis continetur.

This has no Date.

A° Dni. 1336. Tertio die post Festum S^{ti} Michaelis Archangeli hora prima venerunt circiter 40 Galeæ et Spinacii circiter 20, et ceperunt Villam Suthampton et in crastino combusserunt anno supradicto.

Obiit Robertus Stenigg qui multa bona fecit Fratribus, et magno tempore, et maxime post combustionem Villæ Suthampton.

This has no date.

Obiit Henricus Flemyng qui multa bona fecit Fratribus in Testamento suo A° Dni. 1357.

A° Dni. 1499. Mensis Julii die 26, in Festo Divæ Annæ, matris Virginis gloriosæ, Conventus ille Hamptoniensis, tunc sub Fratribus Minoribus Con-

Robert Meucir died, who bought for the Friars the Ground on which their Chappell stands, A.D. 1314. Hen. de Bluntesdone died A.D. 1316; it was he that bro^t the Water from Colewelle to the House of the Friars.

This day the Friars ought particularly to pray for the Souls of Nicolas Barnfleet¹, and those of Agatha and Alice his wives, for the Spring of Colewelle, as appears in their Deed of Gift of the s^d Spring.

A.D. 1336². The third day after the Feast of S^t Michael the Archangel, at one o'clock, there came about 40 gallies and about 20 pinnaces, and took the Town of Suthampton, and burnt it the next day, the year above said.

Robert Stenigg died, who was a great Benefactor to the Friars a long time, and especially after the burning of the Town of Suthampton.

Hen. Fleming died, was a great Benefactor to the Friars in his Will. A.D. 1357.

A.D. 1499. On the 26 day of July, being the Festival of S^t Anne, the mother of the glorious Virgin, this Hampton Convent, being then under

¹ For Nicholas Barnfleet or Barhefleete, see Chap. VI.

² The date should be 1338; for the account of this see note, Chap. III.

ventualibus, reformatus fuit, et Fratres de Observantia ad morandū introducti, per serenissimum Dominum Regem Angliæ Henricum septimum.

Here ends the Register.

B^p Tanner tells us it was given 36 Hen. VIII to John Pollard; and 3 Edw. VI to Arth^r Darcy. It has pass'd through several hands since and is near all of it new built². The Sugar House standing on the site of the Chappell and the place call'd Gloucester Square on that of the main body of the Abby, and a few other Houses on other parts of the Ground.

King Rich^d II took this House under his Protection by the following Charter:—

Ricardus Dei Gratia Rex Angliæ et Franciæ Dnus Hiberniæ, Vicecomiti de Suthampton ac Majori et Ballivis Villæ nostræ de Suthampton, qui nunc sunt, vel qui pro tempore fuerint, ac universis ac singulis Vicecomitibus ac Majoribus et Ballivis, Ministris et aliis fidelibus suis ad quos presentes Litteræ pervenerint, Salutem.

Considerantes Religionis honestatem dilectorum nobis in Christo Guardiani et Frat-

Conventual Friars Minors, was reform'd, and Observant Friars¹ were introduc'd to live there by our most serene Lord, Hen. VII, King of England.

Richard, by the Grace of God, K. of England and France, Lord of Ireland, to the Sheriff of Hants, and to the Mayor and Bailiffs of our Town of Suthampton, who now are or at any time shall be, and to all and singular Sheriffs, Mayors, Bailiffs, Officers and others our good Subjects to whom these presents shall come, Greeting.

We, considering the Religious Honesty of our beloved in Christ, the Prior and Brethren

¹ The Friars Observants were a reformed branch of the great Franciscan Order; early in the fifteenth century a division took place, and the two branches were afterwards known as Observants and Conventuals. In England no religious community withstood the innovations of Henry VIII more fearlessly than the Observants. In 1534 a certain Robert Cooke was ordered to abjure publicly, in Winchester Cathedral, certain heresies he had maintained about the Blessed Sacrament, and the sermon on this occasion was preached by Friar Pecock, the warden of the Friars Minors of Southampton. He took this opportunity of exhorting the people to continue steadfast in the old faith, and to resist all changes, even to death. This bold speaking being reported to Cromwell, John Perchard, the mayor that year, was ordered to seize the preacher and send him to London. Perchard did so, and afterwards wrote to Cromwell on Pecock's behalf, saying that he had always been "of good behaviour and had kept his convent in strict order." This testimony apparently bore fruit, for a few months after, Pecock came back to the Friary. It is evident from some of the wills of the time that the Southampton branch of the Friars Minors was among the religious houses which were restored by Mary, for in 1558 John Tanoer, of South Stoneham, left 10/- to "the Friars of Hampton," and in the same year Charles Harrison, a physician, who lived in Holy Rood parish, ordered his body to be buried in "the Church of St. Francis at Southampton," and bequeathed to the "Brethren of St. Francis' rule" 40/-, also all his books of philosophy, divinity and history, "to the intent that they shall always remain in the library of the said Friars."

² By "new built" it is meant that all remains of the Priory had disappeared, and that other houses had been built on its site. The property has passed through so many different hands that its history cannot be traced here.

rum Ordinis Fratrum Minorum dictæ Villæ de Suthampton, et ut iidem Fratres divinis pacifice insistant, et eo quietius et tranquillitus valeant Altissimo famulari, volentes ipsos benigno favore confovere et a noxis et injuriis, sicut Regiam decet Magnificentiam specialiter preservare, suscipimus ipsos Fratres et eorum Ecclesiam, Domum et Locum, necnon ipsorum Aquæductum et Gardinum, tam infra villam prædict: quam extra, et omnia alia ad ipsos et domum suam qualitercunque, pertinentia in Protectionem, ac Defensionem ac Tuitionem nostras speciales; et ideo vobis et cuilibet vestrum mandamus, et præcipimus, firmiter injungentes, quatenus eidem Guardiano et Fratribus in prædict: villa commorantibus, et ibidem pro salute nostra et aliorum celebrantibus, et pro tempore erunt ibidem commorantes et celebrantes, in personis suis, aut eorum Ecclesia, Domo, Loco, seu Acquæductu vel Gardinis, infra dictam villam vel extra, seu aliis ad ipsos et domum suam pertinentibus, non inferre seu facere presumatis, vel aliquialiter fieri vel inferri permittatis, Injuriam, Molestiam, Dampnum, Violentiam, Impedimentum aliquod, seu Gravamen, et si quid eis forisfactum vel injuriatum fuerit, id eis sini dilatione faciatis corrigi, et debite

of the Order of Friars Minors at Suthampton, and that the s^d Friars may the more peaceably attend their Devotions and may with the greater quiet and tranquillity pay their Duty to the Most High, being willing to encourage them with our favour, and specially to preserve them from hurts and injuries as becomes the magnificence of a King, have of our special Grace taken, and do take by these presents, the s^d Friars, and their Church, House and Place, and allso their Aqueduct and Garden both within the s^d Town and without it, and everything else anyways belonging to them, into our special Protection, Defence and Patronage; and we therefore strictly command, order and enjoin you, and everyone of you, that ye neither do nor suffer to be done to the s^d Prior and Friars residing in the s^d Town, and there performing divine service for the Souls of ourselves and others, or to any others that may at any time reside there and perform the s^d service, either in their Persons, their Church, House, Place, Aquæduct or Garden within the s^d Town or without it, or to any other thing belonging to them and to their House, any Injury, Molestation, Loss, Violence, Hindrance or Greivance, and if any Damage or Injury be done them, ye

emendari. In cujus rei Testimonium has litteras nostras fieri fecimus patentes.

Teste meipso apud Westmonast.

9^o die Julii, A^o Reg. nri 5^{to}.

shall without delay take care that it be rectify'd and duly amended. In Witness whereof we have caused these our Letters to be made Patent.

Witness myself at Westminster.

9 July, Year of our Reign 5.

The Sugar House and Gloucester Square stand upon the site of it.

HOSPITAL OF ST. MARY MAGDALENE FOR LEPERS.

The Accounts we have of this Hospital are very lame¹; Mr. Speed says its foundation was confirm'd by Pope Alexander, A.D. 1179². But B^p Tanner hints that he has mistaken this Hospital for one of the same dedication near Winchester, for (says he) this Maudlin Hospital in Southampton was long before annexed to the Priory of S^t Dennis.

I understand this to be long before year 1179, and yet, under the Article of S^t Dionis, he quotes a Record 21 Edw. III (A.D. 1348), p. 1 m.l., "Pro Hospitali S. Mariæ Magdalenæ," w^{ch} I take, from the manner of expression, to be the first grant of it to that Priory. There once were Lands³ belonging to it, for B^p Tanner mentions an inquisition 10 Hen. IV, n. 4, "De Terris et Reditibus ad hoc Hospitale olim pertinentibus, tunc subtractis" (concerning Lands and Rents w^{ch} had once belong'd to this Hospital, but at that time were taken from it). There are some common Fields near the Town call'd Magdalen or Maudlin Fields, w^{ch} from the name, I suppose, belong'd to this Hospital. The Lepers

¹ Enough information has been obtained since Dr. Speed's time to provide a very fair account of this Hospital. The "Mr. Speed" referred to here, and in Chap. XIV, was John Speed, the chronologer, author of *The Theatre of Great Britain*. He was Dr. Speed's great great grandfather (see Introduction).

² This is correct; it was confirmed by Pope Alexander in 1179 to the Priory of St. Denys; it had been founded by the burgesses at their own expense in, or about, the year 1173; connected with it was a chantry, also founded by the burgesses.

In 1347 Edward III granted the Hospital to St. Denys on account of the poverty of the latter; it appears that although the canons of St. Denys had nominally been in possession since the time of Henry II, they had not derived any advantage from it. This second grant was made on condition that the duties of the Hospital should be performed by the monks of St. Denys, and that care should be taken of the buildings.

³ These lands were situated outside the walls of the town, some in Bove Barre Street and the East and West Garstons (now the East Park and West Marlands), in which the Hospital was situated; the London Road passed through the property, the church apparently being in the East Park and surrounded by more gardens. Windmill (or Canshut) Lane, which led from Houndwell Cross to the western shore, was probably its southern boundary, and Goswell Street or Gosling Lane, which ran from the London Road to the western shore not far from Cumberland Place and Waterhouse Lane, its northern.

here are mention'd in the Laws of the Gild (Law 4)¹. It was us'd to be call'd Little S^t Dennis², and the Tradition is that latterly it was made a receptacle for the Friars of S^t Dennis when they came to Town to serve the Churches, w^{ch}, as is s^d before, belong'd that Priory. How long the Lepers continued in it I have not found.

The old Building was standing till a few years ago, when one Mr. Matthew Woodford built a new one upon the Ground, in w^{ch} his family now lives.

CHAPPELL³.

The only mention I have met with of this is in the Grant of Trinity Fair (Chap. XI, The Fairs) where it is call'd "*Capella S^{tae} Trinitatis et beatæ Mariæ*" (the Chappell of the Holy Trinity and the blessed Mary), and is said to have one Hermit belonging to it; and in a document of Henry V's reign⁴ it is call'd *Ecclesia Trinitatis et S^{ti} Andreæ* (the Church of the Holy Trinity and S^t Andrew).

The Miller's dwelling House now stands upon the site of it.

CHAUNTRIES.

Besides these Religious Houses, it was a common thing for people to leave at their Death some Stipend for a Priest to sing for their Souls; in this Town they generally made the Corporation Trustees, and some Estate of House or Land was settled to provide for the Payment, and this was call'd a Chantry.

¹ Guild Ordinances, Law 4, says:—"During the Guild (*i.e.*, the meetings of the Guild, which were held twice a year) the lepers of La Mandaleyne shall have from the charity of the Guild two gallons of ale."

² Dr. Speed helieved that the Hospital stood in French Street, hence his remark about "Little St. Dennis" and to the "old building" mentioned below. There is a marginal note, written in pencil, against "Mr. Matthew Woodford," as follows, "now (1820) called Hampton Court." Hampton Court, in French Street, was the birth place of Isaac Watts, but it is not connected in any way with St. Mary Magdalen.

The lepers probably continued here until the dissolution of the lesser monasteries in 1536, when the income of the Hospital was given at £16 : 16 : 0.

³ For the position of the Chapel of the Holy Trinity see note, Chap. XI, "The Fairs."⁴ It was a parochial chapel in early times, just as Holy Rood and the other town churches were; but it never became a separate parish, and, possibly because it continued simply a chapel, was allowed to fall into decay, and finally to disappear completely. The old mill house contained only a small fragment of it. By the middle of the sixteenth century it had ceased to be used as a chapel, though at one time it was well known. It is said that Henry VIII, in 1510, gave there an offering of 6/8, and in earlier times pilgrimages used to be made to it, the pilgrims being attracted possibly by the reputed sanctity of its hermits.

⁴ In the document referred to the churches are spoken of separately, though Dr. Speed has read them as one. The chapel of St. Andrew is not mentioned very frequently; like Trinity Chapel, it never became a parish; it was situated not far from St. Mary's Church, but the exact spot is not known; it has vanished entirely, and no records of it remain.

There were several of these appointed at different Churches in this Town, some of w^{ch} were only for a Term of years, but two were perpetual; one founded at St. Mary's by Nich^s Holmage, the other at Holy Rhoods by Tho^s Payne (Chap. XV) concerning w^{ch} the following Articles occur.

P^d to S^r Tho^s that syngyth for Holmage at S^t Mary's 6 : 13 : 4

P^d to S^r Rob^t that syngs for Tho^s Payne at Holy Rhood 6 : 13 : 4

29 Hen. VIII. The Nomination of the Chauntries of S^t Mary's and Holy Rhood Chirches was granted by the Meyre and his brethren to Tho^s Wriothsley Esq^r. In these Cases there was a day appointed for the annual celebration of the Founder's Obiit, at w^{ch} Cakes and Ale, and other Largesses were given to the Company. See Holmage's Obit in Appendix I.

Upon the Dissolution these Chauntries, being of Religious Foundation, came to the Crown and the income of them was paid to the Crown.

1 Elizabeth. Paid to John Harrison for the two Chauntries, one at S^t Marie's and the other at Holly Roddes, the w^{ch} ys dew to the Quen's Grace at the Feste of S^t Michel the Archangel, Sum, £13 : 6 : 8.

A.D. 1665. Arrears of these Chantry Rents were order'd to be paid to the King's Receiver at Andover. About this time the Corporation got a release from the Crown from the future payment of them.

CHAPTER XVI.—CLAUSENTUM.

As there have never been any marks of Roman Antiquity found in the present Town of Southampton,¹ it may be very fairly concluded that Clausentum, w^{ch} was most certainly a Roman Station, was not here. The notion that the old Town of Southampton and Clausentum were the same, or at least stood in the same place, was probably the foundation of the conceit of the Town's being remov'd.² That point has been already clear'd, and we come now to consider where Clausentum stood.

¹ This statement is not quite correct, see Chap. II.

² See Chap. III.

Mr. Cambden is very desirous of deriving this name, too, from Anton, the suppos'd name of the River Test, and a British word Claudh, w^{ch}, he tells us, signifies a Haven made by casting up Banks, so that it shou'd be Claudh Hanton, The Port of Hanton or Anton, by w^{ch} I think he means the Town, whose name he supposes to be deriv'd from that of the River. But besides the probability that there was no such Town at all when the Roman Station was settled at Clausentum (see Chap. II), w^{ch} by Mr. Cambden's own account stood upon the River Ytchen, and therefore cou'd not take its name from the Anton, if ever the other River had that name, nor from the Town before there was any such Town. Mr. Cambden, finding some Roman Antiquities at Bittern, supposes "that it was either Clausentum or one of the Forts w^{ch} Gildas¹ tells us the Romans built to prevent the Saxon Piracies." The reasons hereafter mention'd induce me to believe that it was Clausentum. Supposing Bittern to be the place, w^{ch} stands two miles above the mouth of a very winding River, so as to appear quite landlock'd, I shou'd suppose the name to be purely Roman, from "Clausura," the shutting up or guarding the Passage up the River, "intus," within, the land, and thus the abbreviation,² Claus. int., will bring us to the name with very little variation, and that no other than is very common in the Roman Language. I am the more inclin'd to believe that the Romans look'd on Clausentum to be an inland station, because in the latter times of the Empire, when they had a "Comes Littoris Saxonici³ per Britanniam" (a Governour appointed to guard those Coasts of Britain w^{ch} lay over against France), Clausentum was not one of his stations.

We are much in the dark concerning the Antiquity of Clausentum. I have met with no mention of it earlier than Antoninus's

¹ Gildas, surnamed "the Wise," was a British ecclesiastic and historian who lived in the sixth century; very little is known of him. He is supposed to have written a work on the destruction of Britain, but, as there is much violent invective in it against the Britons, it seems doubtful whether a Briton was the author of it.

² Here occurs the following marginal note:—"This abbreviation is confessed to be mere conjecture, but it leads to so obvious a formation of the name Clausentum that I cannot help supposing that it might be sometimes written so by the Romans, and perhaps was so in the original copies of the *Itinerary*."

The *Itinerary* referred to is that of Antoninus (see end of this Chapter where it is given in full), the date of which is about 320 A.D.; it is only through this *Itinerary* that Clausentum is known. It seems most probable that the word is derived from the Latin *claudo*, as that part of the river on which Clausentum stands is shut in from the sea. Some attempts have been made to connect the name with the Emperor Claudius, and to say that Aulus Plautus, his general, landed near Southampton, but there is no historical basis for this.

³ "Comes Littoris Saxonici," or "Count of the Saxon Shore," was an officer appointed by the Romans, in the fourth century, to guard the south and east coasts of Britain from the incursions of the Saxon pirates. A line of castles had been built, and garrisoned by a Roman legion, which was placed under the command of this Count.

Itinerary, and the Age of that Work is very much controverted. If this Fort was built to prevent the Saxon Pirates from sailing up the River to ravage the Country, it must have been built in Dioclesian's time, when Carausius,¹ who afterwards usurp'd the Purple in Britain, was made Adm^l of the British Seas, to suppress those Pirates. If it were one of the Forts mention'd by Gildas, it must be of much later date, for Gildas mentions them as the last thing the Romans did before they left Britain. His words are:—"in littore quoque Oceani ad meridianam plagam, quo naves eorum habebantur, quia et inde barbaricæ feræ bestiæ timebantur, Turres per intervalla ad prospectum maris collocant, et valedicunt tanquam ultra non reversuri" (They plac'd Forts on the Shoar of the Southern Coast, where their Ships lay, because those parts were most expos'd to those cruel Barbarian Brutes, and took leave to return no more).

Bittern answers so well to the distances from Ringwood (Regnum) and Winchester (Venta Belgarum) in the *Itinerary*, that Clausentum must have been very near it, and as there is no place besides in the Neighbourhood that has any marks of Roman Antiquity, we may safely fix that Station here.² But, from the Coins found there, it appears to be of much greater Antiquity than either of the times above mention'd. I have myself had from thence the Coins of Claudius, Nero, Vespasian, Sabina, Antoninus, Commodus, Lucilla, Alexander, Severus, Constantius, Constans, Carausius, Aurelianus, Valentinianus, and Valens, w^{ch} comprehend pretty nearly the whole time that the Romans were masters of Britain.

I never cou'd hear of any Inscriptions here, great part of the old Buildings having been long ago taken down by Mr. Mylles,³

¹ Carausius, a Roman general, was sent by the Emperor Maximian to command the fleet intended to defend the Atlantic coasts from the Franks and Saxons, but he entered into an alliance with some of the Saxons, and landing in Britain, made his legions proclaim him Emperor in 287 A.D. He was assassinated in 294 by his own officer, Allectus, who in his turn usurped the Imperial title. It is supposed that there was a Roman mint at Clausentum, as coins of both Carausius and Allectus have been found there.

² There is no question to-day of the situation of Clausentum; it is agreed that it was what we now call Bitterne, but in Dr. Speed's day very little attention had been devoted to the question until he investigated the subject. Richard Warner (1763-1857), a divine and antiquary, who at one time held a curacy at Boldre, and later at Fawley, was much interested in the antiquities of Hampshire, and in 1792 published a pamphlet called *An Attempt to Ascertain the Situation of Ancient Clausentum*. This first showed evidence that Clausentum was Bitterne, but Warner was greatly indebted for his information to Dr. Speed. His opinion was confirmed at the beginning of the nineteenth century by the discoveries made by Sir Henry Englefield, who found stones with important descriptions, fragments of Roman pottery and pavement, also Roman coins; and who succeeded in tracing the whole of the ancient wall.

³ Mr. Mylles was the Francis Mylles mentioned in Chap. XV in connection with God's House; the house he built was called Pear Tree House, and was afterwards occupied by Capt. Smith, the builder of Jesus Chapel.

the owner, under the B^p of Winchester, to build a House and Chappel upon another part of his Estate call'd Pear tree, about a Mile distant from it.

The above Argument of its Antiquity drawn from the Coins found there will indeed loose its force if the account given in the Saxon Chronicle¹ be true, that the time when the Romans bury'd all their Money was at their final departure from Britain. But I look on this as meerly a conjectural Tradition, for the Romans were not driven out of Britain, but went away peaceably and at their Leisure, to the assistance of their friends on the Continent, and therefore were the more likely to take with them all the Money they had at that time. The earliest British writers say nothing of this burying their money at their departure. Gildas wrote during the time of the Saxon invasions, and when the sons of many people might probably be living who remember'd the departure of the Romans, at least of the Legions that were sent to the assistance of the Britons against the Picts, but he says not a word of this ; no more does Bede, who wrote about 300 years after the Romans were gone. The only mention I have seen of it is in the Saxon Chronicle, w^{ch} was wrote after Bede, and in that of Ethelwerd, w^{ch} was still later.

I suppose that some Roman Coins might have been accidentally found under ground by the time the Saxon Chronicle was wrote, and that this might give rise to the notion that they were all buried when those Invaders quitted our Island.

As for their Motive for burying their Money, I cannot give into the common opinion² of ascribing it to their Vanity of leaving it for a mark of their having been in this or that Country, for when their Armies were in far distant Countries, they cou'd not be sure that they shou'd not want every penny before they got home, and therefore wou'd not wantonly throw it away in such vast quantities as are sometimes found ; especially as this manner of bestowing it made it very improbable that the discovery wou'd ever be made. Besides, it is well known that

¹ The statement of the Saxon Chronicle can only be regarded as conjecture, for it is generally agreed by numismatists that a hoard of coins may be dated from within a very few years of the date of the latest coin in it, and consequently many of the hoards in Britain must have been deposited long before the final departure of the Romans.

² If this was the "common opinion" in Dr. Speed's day, it is certainly not so at present. Such a motive as vanity or the desire to make a show of their power in such a way as leaving coins behind is hardly in accordance with the Roman character. As hiding money under the ground is one of the habits of misers in all countries, and has been their custom at all times, it is only natural to conclude that the desire to keep wealth in safety was the motive, in a land where, and at a time when, banking was impossible.

they took other methods of perpetuating the memory of their extensive conquests by Marks above ground, many of w^{ch} remain to this day.

I am rather of opinion that this was the usual way of hoarding or keeping money in those Ages, according to that of Horace :—
*"Quid juvat immensum te Argenti pondus et Auri Furtim defossâ timidum deponere terrâ."*¹ And the Servant in the Scripture, who did not trade with his Talent, went and digg'd in the earth and hid his Lord's money.

The Soldiery, at least, were likely to have recourse to this method, especially in their Camps and military Stations or Garrisons ; for as they were paid in Copper money, w^{ch} was therefore call'd *Æs Militare*, a Soldier who had been any time in the Service might very easily have more Money than he cou'd conveniently carry about him ; and if he had dispos'd of it in this manner, and died without discovering where it was hid, as many probably did, especially those who fell in Battle, it must lie till chance discover'd it ; as must sometimes the Treasure of a whole Army (for the Military Chest was probably kept in the same manner) upon a Defeat, or a precipitate Retreat. On this supposition I apprehend that the Coins so often found under Ground were buried occasionally at different times, and within some reasonable distance of the times in w^{ch} they were coin'd, for I have observ'd that those that are found together are generally the Coins of a few Emperors only, who liv'd near each other's times. From whence I infer that as the Coins of Claudius² and other Emperors of the earliest Ages of the Romans in Britain have been found tolerably fresh at Bittern, Bittern was a Roman Station in, or near, the Age of those Coins, and long before either of the times above mention'd ; for Carausius was 200 years, and the departure of the Romans from Britain was 365 years, after Claudius ; so that his Coins and those of the early Emperors cou'd not have been current and fresh to either of those times. If it was a Roman Station I think it must have been Clausentum, because we hear of no other Roman Station in this Neighbourhood. The parts hereabout were certainly reduc'd under the Roman Power among the earliest of their

¹ "What pleasure can there be in digging a hole stealthily and timidly in the ground and burying there an immense quantity of gold and silver ?"

² Claudius was Emperor of Rome from 41-54 A.D. ; in his reign the southern part of Britain was made a Roman province, and he came himself in 43, when he gave the command into the hands of Vespasian, one of his generals. In 69 Vespasian was proclaimed Emperor by the army, which he had so often led to victory.

Conquests in Britain. Suetonius tells us that Claudius (for I cannot allow Julius Cæsar's Expedition to be a Conquest) committed the command of part of his Army, when he came to Britain, to Vespasian, who conquer'd the Isle of Wight and two powerfull Nations of the Britons, which were probably (as Mr. Cambden observes) those Countries w^{ch} lie over against the Island. Perhaps Hampshire and Sussex.

I come now to describe the present Remains of Clausentum¹ (supposing Bittern to be the place). It is a point, or rather a Peninsula, form'd by the winding of the River Ytchen. As you go along the Shoar, just at the beginning of the Neck a Rivulet of fresh water discharges itself on the Shoar, and just by, a Ditch runs quite across the Neck of Land; this Ditch probably receiv'd the water of the Rivulet and serv'd as a Reservoir for the use of the Garrison; it is now overgrown with Brushwood. About three hundred Paces or something more within this, is another Ditch, quite through the Neck of Land, being three hundred Paces in length from Sea to Sea, if I may so call it; on the inner Bank of this Ditch, toward the North end of it, there is still standing an old Stone Building, now converted into a Barn, but w^{ch} appears to me to have been part of the old Roman Fort, for in the upper part of the Wall next the Ditch are slits to shoot Arrows through, and within the Barn are plain Marks of there having been a Floor at such a height that men standing upon it might conveniently shoot Arrows through the Slits; at the North end of the Barn are still to be seen some remains of the foundation of the old Wall of the Fort, about four feet in thickness; at the other end of the Barn, adjoining to it, are the remains of a Stone Gateway, w^{ch} consisted of two Arches, one within the other, and was, I suppose, the Entrance into the Fort, by means of a Drawbridge over the Ditch; there was a Room over this Gateway, for at that end of the Barn there is a Door Case that leads to the top of the Gate. Within this Barn is another old Stone Building, now a Stable and Cart House, w^{ch} reaches to the outside Wall next the River on the East side, and on that side it has an arch'd window and a Slit like those in the

¹ Dr. Speed has illustrated his description of Clausentum by a map; as this has already been published, together with his maps of Southampton, in *The Southampton Atlas*, one of the preceding issues of the Southampton Record Society, it is not reproduced in this volume.

Hardly any remains of the buildings described here are now to be seen; a great part had disappeared by the time when Sir Henry Kinglefield carried on his researches, for about the year 1799 the manor house was rebuilt, and no respect was paid to antiquity; everything was turned to practical account. Stones which could be utilised for the new building were built into the walls, but others were cast aside and lost.

Barn, on each side of the Window. From this Building there goes a Wall to a square Tower, still of some height, to the top of w^{ch} there is a stone Staircase out of one of the upper Rooms of the Mannor House which joins to it; at the bottom of this Tower is a Door Case open to the Shoar from a small room, where perhaps a Centinel was plac'd to observe any Signals that might be made from Bevois Hill¹; near this Tower there still remain foundations of Flint for a considerable space, and many fragments of the same appear all round the Ground within the inner Ditch and on the Bank of that Ditch; but many of the materials were remov'd in Queen Elizabeth's time to build a house and Chappell² on another part of the Owner's Estate.

On the opposite side of the River Southward is the place w^{ch} B^p Gibson³ mentions in his Additions to Mr. Cambden to have been converted into a Dock for building Men of Warr, and where he says a Gold Coin had been then lately found; it is now call'd Northam,⁴ and was probably a Branch of Clausentum, for the Channell of the River runs so close under the Shoar here that Ships cou'd not pass up without being annoy'd from hence.

Opposite to Bittern on the west side across the River is a Hill call'd Bevois Hill, from a legendary Tradition that Bevois of Southampton lies buried under it; it is now part of the beautiful Gardens made by the late Earl of Peterborough,⁵ where the

¹ Roman remains have been discovered near Bevois Mount on high ground overlooking the river, so it is possible that there may have been a Roman fort there; and Dr. Speed might have had this in his mind when speaking of a sentinel looking across the river for signals.

² The chapel referred to is Jesus Chapel at Pear Tree Green, but it was not built till after Elizabeth's reign, viz., in 1620 (see Chap. XV). However, the house may have been standing several years before this.

³ Edmund Gibson (1669-1748) was Bishop of London in George II's reign. He published an edition of the Saxon Chronicle in 1692, and in 1695 an English translation of Camden's *Britannia*. His most important work came out in 1713, and was entitled *Codex Juris Ecclesie Anglicane, or the Statutes of the Church of England*, a work of great learning, which is still regarded as the highest authority on Church Law. He was Robert Walpole's chief adviser in ecclesiastical matters, and his influence was so great that Walpole was once reproached for giving him the authority of a pope, on which the prime minister is said to have retorted, "And a very good pope he is." The friendship between the two continued until Gibson opposed Walpole's Quakers' Relief Bill. This was an offence which the latter never forgave, and from that time he ceased to be guided by the bishop's advice.

⁴ It has been called Northam from very early times. Henry II confirmed the grant of the Manor of Northam to the Canons of St. Denys.

Several men-of-war were built there at the end of the eighteenth century. The "Mediator" was launched in 1782, and she was followed by the "Regulus," the "Stately" and the "Saturn."

⁵ Charles Mordaunt, Earl of Peterborough, was an adherent of William of Orange, who created him Earl of Monmouth, and appointed him First Commiseloner of the Treasury, for his services in helping to bring about the abdication of James II. He distinguished himself as a commander in the War of the Spanish Succession, and held several important diplomatic posts. Bevois Mount was his favourite residence in his later years; he describes it as "a wild, romantic cottage overlooking Itchen Ferry; the grounds are beautiful at high water, when the tide forms a bay at the foot of the mound." He was very proud of his "Blenheim," as Pope called it, and adorned it by hanging over the garden gates old flags and guns. He was on familiar terms with most of the men of letters of the period, and

Summer House now stands was a Barrow, and in digging the foundations of the Summer House a human Skeleton, with Bones of a large Size, was found, but the compass of the foundation reaching no higher than the middle of the Thigh Bone, no search was made for the rest of the Skeleton. The top of this Hill was us'd to be plough'd, and I have heard that Roman Coins have been found there. The side of the Hill next the Shoar is very steep, and has a wet Ditch at the bottom of it.

I suppose this Hill to have been the *Castrum exploratorum* or Scout Watch to the Station; and that the whole comprehended Bittern as the principal Fort, another Fort at Northam, and this Hill; and the Communication was easy, for about forty years ago, a very old person, being an Evidence upon a Trial, made Oath that within his memory the River had been fordable over against Bittern towards Bevois Hill.

The only mention of Clausentum in the *Itinerary* ascrib'd to Antoninus is in the seventh Iter, a Regno Londinium.

CLAUSENTUM.

*Editio.*Suritania.¹Simlerania.¹

Iter a Regno Londinium.

M.P. XCVI sic CXVI.

Clausentum (near Southampton) M.P. XX.

Ventam Belgarum (Winchester) M.P. X.

Callevam Atrebatum (Wallingford) M.P. XXII. XLII.

Pontes (Colebrook) M.P. XXII.

Londinium (London) M.P. XXII.

frequently invited them to visit him at Southampton, but Swift and Pope were his most intimate friends. In 1732, when Pope was staying at Bevois Mount, he accompanied Peterborough to the prize distribution at Winchester College; he came again to stay in the two following years. Voltaire was another distinguished visitor. In 1735 Peterborough became very ill, and having to face an operation, wrote to Anastasia Robinson, his tardily acknowledged wife, "I want to make an appointment with you, Mr. Pope and a few friends more, to meet upon the summit of my Bevois Hill and thence, after a speech and a tender farewell, I shall take my leap towards the clouds, as Julian expresses it, to mix amongst the stars, but I make my bargain for a very fine day, that you may see my last amusements to advantage." Pope came and found that Peterborough had with him all his relations and "every creature in Southampton who cared to come." However, his death did not take place here, but on the way to Lisbon, to which place he had been advised to go. Lady Peterborough spent most of her remaining years at Bevois Mount. In the conservatory there still remains a tablet with the following inscription:—

Carolo Mordaunt
Comiti de Peterbor.
Libertatis Patriæ Vindex,
Valentiæ Domitor,
Consilii et Armis Inclitus
Rebus Fortiter Celeriter Feliciter Gestis,
Hæc in Parva Rura secessit
Hæc Moriens Colebat.

(To Charles Mordaunt, Earl of Peterborough, champion of his country's liberty, victor at Valentinia, illustrious in counsel and war, his exploits were achieved with valour, speed and success, he retired to this little estate and in his last days cherished it.)

¹ Suritania, Simlerania, according to the two authorities named below, Sura and Simler. *Itiner.*

The distances from Ringwood and Winchester shew plainly that CLAUSENTUM was in the neighbourhood of Southampton, and the Spot above mention'd appears to me to bid fairest for the site of it, of any place thereabout. If we follow Simler's computation this whole Iter will be pretty compleat, supposing the English names assign'd to the several Stations to be right, which they are generally allow'd to be. There is a great mistake in Sura's in the distance from Winchester to Wallingford.

The *Itinerary* in the 13th and 14th Iter makes it 15 miles from Calleva to Spinæ or Spene (now call'd Speneham Land), one mile from Newbery on the way to Wallingford, and from Winchester to Newbery has been usually computed 20 miles, and to Speneham Land 21, w^{ch} makes 36 miles to Wallingford, which may very well make 42 Roman miles, considering the difference between those miles and ours, especially our computed ones.

arium was the name given by the Romans to a table of stages, with the distance between two places of importance. The *Itineraria* which have come down to us contribute greatly to our knowledge of ancient geography. There are two ascribed to Antoninus Caracalla, one giving sea routes, and the other, from which these figures are taken, land journeys. It is evident that the compiling of this *Itinerary* was an official work, and most probably the general survey, the results of which are embodied in it, was made between 44 and 19 B.C. Thus the honour of making it is to be shared by Julius Cæsar, who began it, by Antoninus, who carried out much of the work, and by Augustus Cæsar, under whom it was completed.

M.P. stands for *millia passuum* or *mille passus*, a thousand paces. The Roman *passus* was equal to five feet, and as a Roman foot is computed to be about 11.6 English inches, *millia passuum* or a Roman mile would be equal to about 1620 English yards.

Regnum is interpreted as Ringwood by Dr. Speed, but at the present day it is thought to be Chilchester.

Calleva Atrebatum is now generally believed to be Silchester, therefore Sura's edition gives the distance correctly, for Silchester lies about 22 miles N.N.E. of Winchester.

Pontes either was Old Windsor or was situated close to it; it may possibly be Staines.



Appendices.

APPENDIX A.

Expences of the Law Day at Cut-thorn (14 Henry VII). From the Steward's Book:—

	£	s.	d.
A Crope of Baffe	0	2	4
Four Leggs of Mutton, 12 ^d	0	1	0
Do. 12 ^d	0	1	0
Three Dos. of Bred	0	3	0
Half a Barrell Doble Beer, 20 ^d	0	1	8
Half a Barrell fynehyl ¹ Beer, 12 ^d	0	1	0
Ale and Bere	0	2	8
Ten Gallons peny Ale	0	0	10
Twelve Chekens, 12 ^d	0	1	0
Four Pyggs	0	2	0
Two Lambys	0	2	0
Butter and Eggs	0	0	8
Chese	0	0	3
Salt	0	0	1
Half a Bushel of Flowre	0	0	8
Half a pond of Peper	0	0	8
Saffryn, Cloves and Mace	0	0	4
Preuyns and Raysyns	0	0	8
Two Gallons Claret Wyne	0	1	4
Orengys	0	0	2
Musterd and Veneger	0	0	2
Two hund ^d of Wood	0	1	4
A Man to dress the Mette	0	0	8
Two poor Men to turn	0	0	3
Two poor Boys	0	0	2
A Carte to Cut-thorn	0	0	8
For whyt Dyschys	0	0	8
Makyng a Both	0	0	3
Hyre of two Garnysche off Wessell ²	0	0	8
The 12 Men when they gafe ther Verdyt	0	2	0
Two Men beyring the two long Plankes, and setting the 2 Barrys	0	0	4

¹ Probably "fine Hill Beer," *i.e.*, beer made at the village of Hill.

² Garnysche off Wessell was an expression common in the Middle Ages; it meant a set of vessels for table use. In Harrison's *England*, published about 1587, we find the following:—"Such furniture of household of this mettall (pewter) as we commonly call by the name of vessell, is sold usuallie by the garnish, which doth contains twelve platters, twelve dishes, twelve saucers."

APPENDIX B.

RECORD OF A COMPROMISE WITH PORTESMUTH¹:—

Sciant omnes ad quos præsens scriptu pervenerit quod cum contentio esset in Curia Dñi Regis coram ipso Dño Rege inter Burgenses de Suthampton querentes et Burgenses de Portesmoth respondentes de Consuetudinibus Placitis, Attachiamētis et Amerciamētis ad Placita illa pertinentibus in Portu de Portesmoth quæ quidem Burg^s de Suthampton ipsi dicebant ad se pertinere et inde questi fuere q^d ipsi Burgenses de Portesmoth injuste eos disseisiverunt de prædictis consuetudinibus et Attachiamētis et Placitis. Tandem venerunt ipsi Burgenses de Portesmoth coram Dño Rege et recognoverunt quod nihil clamant in Consuetudinibus aliquibus, Attachiamētis, vel Placitis vel Amerciamētis ad Placita

Know all men to whom this Writing shall come, that whereas a dispute arose in the Court of our L^d the K.² before our Lord the K. between the Burg^s of Suthampton Plaintiffs, and the Burg^s of Portesmoth Defendants, about certain Customs, Pleas, Attachments and Amercements belonging to those Pleas in the Port of Portesmoth, w^{ch} the Burgesses of Suthampton said belonged to them, and thereupon complained that the Burg^s of Portesmoth have unjustly disseised them of the s^d Customs, Attachments and Pleas. Then came the Burg^s of Portesmoth into Court, and replied that they do not claim any manner of Customs, Attachments, Pleas or Amercements belonging to those Pleas, in the Port of Portesmoth aforesaid, and that

¹ It must be remembered that the harbour of Portsmouth was formerly part of the port of Southampton. The occasion of the making of this compromise was that, in 1240, the inhabitants of Portsmouth attempted to assert the independence of the town as distinct from the port by holding pleas, executing attachments, &c., among themselves, and keeping the profits arising from such. The burgesses of Southampton, therefore, sued them, and this compromise was the result. This was not by any means the only dispute between Portsmouth and Southampton; the inhabitants of the former town appear to have asserted the fact that their harbour was within the jurisdiction of the Southampton Admiralty, and there were frequent altercations over the petty customs.

² This compromise was made in 1239; the most important points in it are as follows:—The burgesses of Portsmouth agreed to give up their claim to customs, pleas, etc., within the port of Portsmouth, on condition that Southampton gave up its right to the same outside the limits of the port of Portsmouth. It was also arranged that profits made in the town and waters of the port from strangers should be equally divided between the two towns, and that each should have a bailiff to collect these dues and to divide them fairly, the king's rights being preserved. Also that a distinction should be made between pleas of the crown arising in the *port* and *town* of Portsmouth; the bailiff of Southampton was to present to the king's justices those of the port, and the bailiff of Portsmouth those of the town of Portsmouth. The burgesses of Southampton remitted the damages claimed, and Portsmouth paid five marks of silver for this remission.

illa pertinentibus, in prædicto Portu de Portesmoth et omnia ista remiserunt pro se et hæredibus ipsorum Burgensibus de Suthampton ac hæredibus eorum et quieta clamant in perpetuum.

Et eodem modo venerunt ipsi Burgenses de Suthampton coram Dno Rege et recognoverunt quod nihil clamant extra Portum de Portesmoth, sed totum jus suum quod aliquando dicebant se habere extra Portum remiserunt et quietum clamaverunt pro se et hæredibus suis, ipsis Burgensibus de Portesmoth et hæredibus eorum in perpetuum.

Sed ad omnes contenciones inter se tollendas quæ possint oriri aliquo tempore, De Licentia Dñi Regis concessum est hinc inde quod omnia Amerciamenta et omnes Proventus tam in Aqua Portus quam in villa de Portesmoth quæ extrinsecos tangunt, ut si Burgenses de Portesmoth extrinsecis forisfecerint vel extrinseco, æqualiter inter eosdem Burgenses de Portesmoth et Suthampton dividantur et participentur. Ita quod utraque partium predictarum, Burgenses de Portesmoth et Suthampton habeant Ballivum suum de hoc æqualiter deputatum, qui audiat et teneat Placita in villa de Portesmoth pervisum XII pro-

they have for themselves and their Heirs remitted and quitted claim to them to the Burg^s of Southampton for ever.

And in like manner come the Burgesses of Southampton into Court, and declar'd that they claim nothing without the Limits of the Port of Portesmoth, but do, for themselves and their Heirs, remit and quit claim to all the Right which they heretofore set forth that they had without the limits of the Port, to the Burgesses of Portsmouth and their heirs for ever.

But in order to prevent all disputes that may happen between them in time to come, it is with the King's leave granted on both sides that from henceforth all the Amercements and all the Profits, as well in the water of the Port as in the town of Portsmouth which concern Strangers, that is, if the Burg^s of Portesmoth take any forfeiture of a stranger or strangers, the Profits thereof shall be equally divided and shar'd between the Burgesses of Portesmoth and those of Suthampton. So that each party, the Burgesses of Portesmoth and Suthampton, shall have a Bailiff mutually appointed to hear and hold pleas in the Town of Portesmoth by

borum et legalium hominum de villa de Portesmouth, qui iudicium in suis factum warrantisare possint et velint, et Ballivus Burgensium de Portesmouth Sacramentum faciet Ballivo Burgensium de Suthampton, et eodem modo Ballivus Burgensium de Suthampton Sacramentum faciet Ballivo Burgensium de Portesmouth quod omnes Proventus et omnia Amerciamenta fideliter colligent, et collecta æqualiter inter eos ad opus prædictorum Burgensium de Suthampton et de Portesmouth dimidiabunt. Salvis Dño Regi regularibus Justitutis suis, et de magnis Pissibus marinis, et de omnibus aliis per mare evenientibus, et ad Dnum Regem spectantibus. Salvis etiam Dño Regi Placitis Coronæ suæ infra Portum de Portesmouth emergentibus, quæ omnia sicut Dño Regi debentur per Coronatores et Ballivum de Suthampton Dño Regi et Justitiariis suis præsentabuntur; et eodem modo omnia Placita Coronæ quæ acciderint in villa de Portesmouth et quæ ad Dnum Regem pertinent, per Burgenses de Portesmouth et Ballivum suum Dño Regi et Justitiariis suis itinerantibus præsentabuntur. Cum vero Burgenses de Portesmouth habeant unam Cartam cum manibus suis propriis et ipsi Burgens^a de Suthampton habeant aliam Cartam cum

the view of 12 good and lawful men of the town of Portesmouth who are able and willing to warrant the judgement that shall be given, and the Bailiff of the Burg^a of Portesmouth shall make oath to the Bailiff of the Burgesses of Suthampton, and in like manner the Bailiff of the Burg^a of Suthampton shall make oath to the Bailiff of the Burgesses of Portesmouth, that they will faithfully collect all the Profits and Amercements, and when collected will divide them equally for the use of the s^d Burgesses of Suthampton and Portesmouth. Saving to our Ld. the King his just rights, both to large Sea fish and to all things accruing from the Sea and belonging to our Ld. the King. Saving allso to our Ld. the King all pleas of the Crown happening within the port of Portesmouth, which, as they belong to our Lord the King, must be presented to our Lord the King and his Justices by the Coroners and Bailiffs of Suthampton. And in like manner all the Pleas of the Crown which happen in the Town of Portesmouth, which allso belong to our Lord the King, shall be presented to our Lord the King and his Justices itinerant by the Burgesses of Portesmouth and their Bailiff. And whereas the Burgesses of Portesmouth and those of Suth-

manibus suis propriis sive sit de hominibus qui transfretare volunt, sive de aliis rebus quæ transvehi debeant per mare, et si aliqua Carta per commune consilium prædictorum extraneis manibus concedatur Proventus qui inde procedunt æqualiter inter eosdem Burg^s. de Suthampton et de Portesmouth dimidiabuntur, secundum quod dictum est de aliis Proventibus. Et omnia Præcepta per Breve Dñi Regis Ballivis de Suthamⁿ. et Portu de Portesmouth directa per utrosque Ballivos prædictos de Portesmouth et de Suthampton executi sint, sicut de Attachamentis faciendis in Portu de Portesmouth, et aliis quæ ad Portum illum pertinent. Et pro hac Recognitione, Remissione et Concessione prædicti Burgenses de Portesmouth dederunt prædictis Burgen^s. de Suthampton quinque Marcas, Argenti, et ipsi Burgenses de Suthampton remiserunt prædictis Burgensibus de Portesmouth omnia Dampna quæ dicebant se habuisse occasione præsentis contencionis inter eos homines usque in diem quo Concordia ista facta fuit, quod ni alicui veniat in dubium tempore proveniente, factum est hoc Scriptum Cyrographum. Ita quod quælibet pars ipsorum alterius Scripto commune Sigillum Burgi sui

ampton have each of them a separate grant of power to give Licences of Transfretation¹ to such Persons as desire it, and for the exportation of such goods as are to be carried beyond Sea, and if any such Licence be given by any other hands with their joint consent, the Profits arising from it shall be equally divided between the Burgesses of Suthampton and those of Portesmouth. And all Precepts by the King's Writ directed to the Bailiffs of Suthampton and of the Port of Portesmouth shall be executed by the two Bailiffs aforesaid, as is before directed concerning Attachments in the Port of Portesmouth and other things which relate to that Port. And for this Recognition, Remission and Concession, the Burgesses of Portesmouth gave to the foresaid Burgesses of Suthampton five Marks of Silver, and the Burgesses of Suthampton remitted to the aforesaid Burgesses of Portesmouth all the Damages which they declared that they had sustained on account of this dispute between them, to the day of the making of this agreement. And that no man may doubt of this in time to come, this Deed in Writing was made in such manner that each party has reciprocally caus'd the Common Seal of their respec-

¹ Transfretation—crossing over; from the Latin *trans*, over, and *fretum*, a strait.

alternatim apponificit. Hiis Testibus, &c. Datum apud Waltham undecimo Calendar: Decembris, Anno Regni Regis Henrici Filii Regis Johannis vicessimo quarto.

tive Towns to be put to each other's part of it. Before these witnesses, &c. Given at Waltham, the 11th of the Calends of December, in the 24th year of the reign of K. Henry, the son of K. John.

APPENDIX C.

ROGER PEDLEY'S WATERWORKS (Chap. VI).

The best account of this matter will appear from the following Lease granted by the Corporation to the undertaker:—

This Indenture made the 26th day of June, in the 37th year of the Reigne of our Sov^a Lady Elizabeth by the Gr: of God, Queen of Engl^d, France and Ireland, Defender of the Faith, &c., between Roger Pedley, of the Town and County of S.hampton, Yeoman, of the one Party, and the Mayor, Bailiffs and Burgesses of the same Town and County of S.hampton on the other party, WITNESSETH that whereas the s^d Roger Pedley hath undertaken at his Costs and Charges to bring or cause to be bro^t one River or Stream of fresh water, to run with fresh water four foot broad, and two foot deep, above the Bar Gate unto the s^d Town of S.hampton, and out of the s^d Stream or River to make or cause to be made the fresh water to run one foot in breadth, and one foot in depth, in or near unto the Bar-Gate of the s^d Towne, or in default thereof (from the Springs that are now

Summary of Appendix C:—

ROGER PEDLEY'S WATERWORKS.

This agreement was made in 1594 between Roger Pedley, yeoman, and the Mayor, Bailiffs and Burgesses of Southampton. By it Roger Pedley undertook to bring a stream of fresh water, 4-ft. broad and 2-ft. deep, to the Bargate, and thence a stream 1-ft. broad and 1-ft. deep was to run into the town; or, in default of this, he was also to utilise the existing springs, and from them to convey water in leaden pipes to the conduit at the east end of St. Michael's Church, where it was to run day and night free to all.

In return, the Corporation leased to Pedley the town ditches, their garden plot on the south side of "The George," and a strip of waste land lying by the side of the London Road, at an annual rent of 40/- for 160 years. He was also to be allowed to petition the Queen for permission to bring water from any stream within ten miles of the town through any man's ground, and was to have a monopoly of the water supply for 160 years, during which time he was required to keep his system in repair and to see that his stream did not overflow its banks; however, when the channel needed scouring, he was permitted to divert the course of the water into Goswell Lane. He might not bring into his stream any water then in use, nor damage the old conduits; and if he failed to carry out his undertaking within seven years of the date of this lease, the indenture was to be void.

already us'd for the conveying of Water in Lead unto the s^d Towne) to bring, or cause to be bro^t, in Leaden Pipe or Pipes, good and sweet fresh water, continually, for the most part, to run into a Cistern or Conduit to be set at his like Costs and Charges in the Street at the east end of the Parish Church of S^t Michael within the s^d Town, out of w^{ch} Conduit or Cistern shall continually, for the most part, run both day and night, thro' a Pipe of Lead of one inch and a half high, and one inch and a half broad, within the Pipe, waste fresh water good and sweet, for the inhabitants of the s^d Town to fetch and use, at and for their necessary uses. The s^d Mayor, Bailiffs and Burgeses, in consideration that the Premisses shall be accomplish'd and bro^t to pass according to the true meaning and intent of these Presents, have by their Indenture of Lease, bearing the Date of these Presents, demis'd, granted and to farme, letten, under their Common Seal, unto the s^d Roger Pedley, all those their Banks, Grounds, Ponds and Ditches, with the appurtenances, commonly call'd by the name or names of the Town Ditches, and allso all that their Garden Plot on the South side of the Sign of the George, upon part of w^{ch} garden plot lately stood a Pound, situate, set, lying and being next without the walls of the s^d Towne, and within the County of the same, and extendeth from a Tower commonly call'd God's House Tower,¹ unto the full Sea Mark by a Tower call'd Arundel Tower, between the s^d Towne Walls on the West and South parts, and a void Plot of Ground call'd God's House Green, a Garden hedge now in the Tenure of Will^m Wallop, Esq^r, and certain other hedges and fences of Gardens and Meadows in the Tenure of several Persons leading directly by the s^d Towne Ditches from the s^d God's House Tower unto the end of the Wall at the entrance in at a Gate call'd East Gate, on the East part; and from the s^d end of the Wall at the entrance in at the s^d East Gate, unto the end of the Wall at the entrance in at the North Gate, call'd Bar-Gate, and a Cart way on the East and North side of the s^d Ditches leading directly unto the end of the s^d Wall or entry in at the North Gate call'd the Bar-gate, and from the end of the s^d Wall unto the full Sea Mark right against the Tower call'd Arundel Tower, behind the Tenement call'd the George, with a Plot of Ground to the s^d Tenement belonging on the North part, and the Towne Walls, and the s^d

¹ God's House Tower is first mentioned in the Steward's Book of 1468, when it was used as a military storehouse. At that time the water came up to the foot of it. In 1774 it was made the debtors' prison.

Tower call'd Arundel Tower on the South part, the Highway and usual entrance and passage in at the Bar-Gate and the East Gate of the s^d Towne only excepted. As allso all that their void Plot of Ground, with the Appurtenances, lying on the West side of the Highway leading from the s^d Towne of Southampton by a Gate call'd Bannister's Gate towards the Heath or Common belonging to the s^d Towne of S. Hampton, bounding and lying between the Lands appertaining and belonging to the Farme call'd Bannister's Farme, and others, on the West part, and the s^d Highway leading towards the City of Winton from the s^d Towne of S. Hampton on the East part, and containeth in Length 134 Luggs, accounting to every Lugg eighteen feet.

To HAVE and to hold to the s^d Roger Pedley, and to his Execut^{rs} and Assigns from the day of the date of the s^d indentures unto the end and Term of 160 years from thence next ensuing, for the yearly rent of 40s. by the year, with divers other Covenants, Clauses, and Articles in the same contain'd, as in and by the same Indenture more at large shall and may appear. The s^d Mayor, Bailiffs and Burgess for them and their Successors do by these presents covenant, promise and grant to and with the s^d Roger Pedley, his Execut^{rs} and Assigns and every of them, that the s^d Roger Pedley and his Execut^{rs} and Assigns and every of them, from time to time, during the space of 160 years next ensuing the Date hereof, shall and may without any Lett or Gainsaying, dig, and make way or ways within the s^d Towne, and in the Suburbs of the same in the Street there, and within the Liberties of the s^d Towne, so farr forth as the Liberties of the s^d Mayor, Bailiffs and Burgesses, or their Successors do, or shall extend, and in every, or any, part of them, for the only bringing and conveying of the s^d River, Stream or Pipe of Lead with water.

AND the s^d Mayor, Bailiffs and Burgesses for themselves and their Successors do allso covenant, promise and grant to and with the s^d Roger Pedley, his Executors and Assigns, by these Presents, that he, the s^d Roger Pedley and his Assigns, shall and may, from time to time, exhibit and deliver up one or more Petition or Petitions, in the name and names of the s^d Mayor, Bailiffs and Burgesses, or their Successors, to our Sov^{ty} Lady the Queen's Majesty that now is, or her Successors, and to the L^{ds} of her Highness's most Hon^{ble} Privy Council or to any of them, or otherwise, and thereby, or by any other means, or ways, to obtain or procure a Grant to be made and granted for the

bringing of the s^d River, Stream or Pipe of fresh water unto the s^d Towne of Southampton, from any Spring or out of any River or Stream of fresh water within ten Miles of the s^d Towne and County to run and have passage to the s^d Towne of S. Hampton in, by, or through any man's Ground whatsoever or other place or places.

AND farther to obtain the s^d Grant to be made and granted in as large and beneficial manner and forme to all purposes as he, the s^d Roger Pedley, his Executors or Assigns, can or may get, obtain or procure the same, w^{ch} Grant, so being had or obtain'd, the s^d Mayor, Bailiffs and Burgesses, as well for the considerations afores^d, as also for divers other good causes and considerations, them thereunto moving, for them and their Successors, do covenant, promise and grant to and with the s^d Roger Pedley, his Exec^{rs} and Assigns, by these Presents, that immediately upon and after such Grant of the Premises or any parcell thereof so had, procur'd or obtain'd by her Highness's Letters Patents, or otherwise, they, the s^d Mayor, Bailiffs and Burgesses and their Successors, shall and will lawfully and sufficiently, by writing under their Common Seal, grant, assign, and set over the same Grant and Grants so to be obtain'd, and the full and whole benefit and advantage for and by reason of the same and every matter and thing therein or thereby to be compriz'd, given or granted unto the s^d Roger Pedley, his Exec^{rs} and Assigns, to have and to hold, and to execute, exercise and enjoy the same, and every part thereof unto him, the s^d Roger Pedley, his Exec^{rs} and Assigns, to his and their own use, uses, and behoof, for, by and during the full Term of 160 years, for the yearly Rent of xii^d.

And it is the very true and plain meaning of these Presents, and the s^d Mayor, Bailiffs and Burgesses for themselves and their Successors, do, for the considerations afores^d, covenant, promise and grant to and with the said Roger Pedley, his Exec^{rs} and Assigns, by these Presents, that if at any time hereafter any River, Stream or other Pipe of fresh water shall be accordingly brought to effect to run with good and sweet fresh water unto the s^d Towne of S. Hampton according to the true intent and meaning of these Presents, that then he, the s^d Roger Pedley, his Exec^{rs} and Assigns, by, and during the Term of 160 years next ensuing after the s^d River, Stream or Pipe of fresh water so effected, shall and may use, convert, and employ the same River, Stream or Pipe, and the fresh water, therein being and encreas-

ing (the water Pipe of Lead only excepted) to his and their own benefit and commodity, without any manner of Lett or interruption.

And that neither they, the s^d Mayor, Bailiffs or Burgesses or their Successors, nor any other Person or Persons, inhabitant, residant, commorant or abiding within the s^d Towne of Southampton or the Liberty thereof, shall not, nor will not, have, fetch or take any water in or out of the same River, Stream, or Pipe, during the s^d Term of 160 years, but by the Consent, Agreement and Composition therefore first had, made, agreed and compounded with the s^d Roger Pedley, his Exec^{rs} and Assigns (the Water issuing out of the waster Pipe afores^d only excepted). And the s^d Mayor, Bailiffs and Burgesses for them and their Success^{rs} and for every of them, do also covenant, promise and grant to and with the s^d Roger Pedley, his Exec^{rs} and Assigns and every of them, by these Presents, that they, the s^d Mayor, Bailiffs and Burgesses, nor any their Successors, nor any of them, neither the inhabitants, nor residents of the s^d Town, or the Libertys thereof, nor any of them, nor any other Person or Persons within the s^d Towne, or the Precincts or Libertys thereof, shall cause, procure, do or suffer by any Engine or means whatsoever any of the s^d water to run, be convey'd or have passage, or course out of the s^d River, Pipe, Conduit or Cistern, into, by or through his or their, or any of their House or Houses, Backsides, Gardens or Ditches, or into any part thereof (other than such as shall be immediately taken out of the s^d Stream or River into Tubs, Buckets, Pales or Pots or other small vessels commonly to be carried in hand or on Backs, for their necessary uses, or such water as shall chance by superfluity to overflow, neither that any Brewers, or Dyers, nor any other Person or Persons for brewing or dying, shall fetch, take or carry away any of the s^d water within the s^d Towne or the Libertys thereof during the s^d space and term of 160 years, next ensuing the Date hereof, without the special Lycence of the said Roger Pedley, his Exec^{rs} and Assigns, under his or their hand writing so to do, first had and obtain'd, and it shall be lawfull to and for the s^d Roger Pedley, his Exec^{rs} and Assigns and those with whom he or they shall from time to time compound withal and give Lycence to, as afores^d, and their Assigns, and every one of them, during the fores^d Term of 160 years, to dig and break up any of the Grounds in the Streets of the s^d Towne of S. Hampton or the

Suburbs of the same, necessary for that purpose, and thereby freely to convey off the s^d water into their Houses, Backsides or Gardens, and allso from time to time, for the Reparations of the s^d Conveyances, farther to dig, break up, and do, as need shall require, He, the s^d Roger Pedley, his Exec^{rs} and Assigns, or they with whom he or they shall compound withal and give Lycence unto, particularly repairing, amending, leaving, maintaining and keeping the s^d places so digged up, in such convenient Order and Sort as they were before s^d places were digged up.

AND the s^d Mayor, Bailiffs and Burgesses, for them and their Success^{rs}, do hereby covenant, promise and grant to and with the s^d Roger Pedley, his Exec^{rs} and Assigns, and every one of them by these Presents, and it shall and may be lawfull to and for the s^d Roger Pedley, his Exec^{rs} and Assigns, by virtue hereof at the East end of the Parish Church of S^t Michael, at a place there most convenient, in the open Street there at his and their proper Costs and Charges, to erect and set up a sufficient Cistern or Conduit for the receipt of the water out of the s^d leaden Pipe, w^{ch} Cistern or Conduit so to be erected shall be, and from henceforth remain, to the only use, benefit and commodity of the s^d Roger Pedley, his Exec^{rs} and Assigns, during the s^d Term of 160 years.

IN consideration of all w^{ch} Premises the s^d Roger Pedley for him, his Exec^{rs} and Assigns doth covenant, promise and grant to and with the s^d Mayor, Bailiffs and Burgesses by these Presents that he, the s^d Roger Pedley, his Executors and Assigns, shall and will satisfy and content the owners and possessors of the several Grounds w^{ch} shall be digg'd and us'd for the bringing of the s^d River or Stream of water, according to a reasonable valuation, to be indifferently made and rated, and that he, the s^d Roger Pedley, his Exec^{rs} and Assigns, and every of them shall and will, from time to time, during the fores^d Term of 160 years, repair, uphold, sustain, amend and maintain all the Banks and Currents of the afores^d Water Course and Pipe of Lead, in all necessary Reparations, and the same so repair'd, upholden, sustain'd and maintained and amended in the end of the s^d Term, shall and will yeild up and leave the same to the s^d Mayor, Bailiffs and Burgesses, their Success^{rs} and Assigns.

AND the said Roger Pedley, for him, his Exec^{rs}, Administ^{rs} and Assigns, and every of them, doth farthermore covenant, promise and grant to and with the s^d Mayor, Bailiffs and Burgesses, and their Success^{rs}, that neither he, the s^d Roger Pedley, his Exec^{rs}

or Assigns will not, nor shall not, at any time during the s^d Term, wittingly cause or suffer the s^d Stream or River to overflow, thereby to endamage or annoy any of the inhabitants of the s^d Towne, but with all convenient speed, after warning thereof given, He, the s^d Roger Pedley, his Exec^{rs} and Assigns, shall and will, at his and their proper Costs and Charges, redress and amend the same by conveying away the s^d superfluity of water; for the better and speedyer conveyance whereof and scouring and making clean the Current wherein the water shall run at all times needfull and necessary, it shall be lawfull to and for the s^d Roger Pedley, his Exec^{rs} and Assigns, and he, the s^d Roger Pedley, his Exec^{rs} and Assigns, shall and lawfully may, from time to time during the s^d Term, convey and let run the s^d water, or so much thereof as shall seem convenient to the s^d Roger Pedley, his Exec^{rs} and Assigns, in, by, and through the lane call'd Gosling Lane, within the County of the s^d Towne of S. Hampton, and at the end of the same Lane to make, set up, and erect a Conduit head, not thereby annoying her Majes^{ty's} Highway there being. AND also the s^d Roger Pedley, his Exec^{rs} and Assigns doth hereby covenant, promise and grant to and with the s^d Mayor, Bailiffs and Burgesses, and their Successors, that he, the s^d Roger Pedley, his Exec^{rs} and Assigns, shall not by reason of the Premis^s diminish or take away any of the water now already us'd for the use of the said Towne. But only with the Springs and Pots of Earth, and the water therein coming from the Heath or Common of the s^d Towne, all w^{ch} it shall be lawfull to and for the s^d Roger Pedley, his Exec^{rs} and Assigns, by these Presents, to use, have and enjoy at his will and pleasure for the better conveyance of the s^d water Pipe of Lead, during the s^d Term of Years neither shall wittingly hinder or hurt any way the ancient Conduit Heads¹ now us'd for the conveying of water to the s^d Towne nor any of them.

AND farther, the s^d Roger Pedley, for him, his Exec^{rs} and Assigns, doth covenant and grant to and with the s^d Mayor, Bailiffs and Burgesses, and their Successors and Assigns by these Presents, that it shall and may be lawfull to and for such Person and Persons as now have, or at any time hereafter, for and during the Term therein contain'd to be devis'd, shall have the use and working of and in the Brick House now standing and being upon the Heath, freely to take and receive for his necessary use and imployment in making of Bricks there, such reasonable

¹ There were four public conduits in the High Street, viz., at All Saints', Holy Rood, the Friary and God's House; there was also one in Goswell Lane. All of these received water from Achard's Spring, which was supplied by Springhill. See Chap. VI.

Store and quantity of water, out of, and from the s^d Spring in the Heath as upon time of necessity and need he or they shall have occasion to use, as heretofore hath been accustomed.

PROVIDED allways, and it is agreed by the Parties to this Indenture, and to the s^d Roger Pedley, for him and his Exec^{rs}, Admin^{rs} and Assignes, doth promise, covenant, grant and agree to and with the s^d Mayor, Bailiffs and Burgesses, their Successors and Assignes by these Presents, that if neither he, the s^d Roger Pedley, his Exec^{rs} and Assigns, nor any of them, do not, nor shall not, within the space of these seven years next ensuing the Date hereof, bring or cause to be brought, a River or Stream of fresh water to run according to the true intent and meaning of these Presents, or do not or shall not bring the s^d Pipe of Lead into a Conduit or Cistern to be set, at the Costs and Charges of the s^d Roger Pedley, his Exec^{rs} or Assignes, at the East end of S^t Michael's Church as aforesaid, continually, for the most part, to run with fresh water both day and night out of a leaden Pipe, of one inch and a half high and one inch and a half broad within the Pipe, for the common use of the Inhabitants within the s^d Towne as is above declar'd, that then, and from thenceforth, these present Indentures, as also the before mention'd Indentures of Lease, to cease, be void and of none effect, and that it shall be lawfull for the s^d Mayor, Bailiffs and Burgesses, and their Successors and Assignes, or any of them, into whatsoever is therein or thereby granted, and into every part and parcel thereof, to re-enter and the same to seize and possess and have again, as in their former Estate. In witness whereof, unto the one part of these present Indentures, remaining with the s^d Mayor, Bailiffs and Burgesses, the s^d Roger Pedley his hand and Seal hath put, and to the other part of the same Indenture, remaining to and with the s^d Roger Pedley, the s^d Mayor, Bailiffs and Burgesses have caused their Common Seal to be affix'd.

Geven the day and year first above written.

p^r me ROGERUM PEDLEY.

Io. Friar Testis.



SEAL.

A.D. 1617.—The Sons of the above Roger Pedley surrender'd the above Lease of Waterworks into the hands of the Corporation, who granted a new one to Arthur Baker for 60 years.

A.D. 1620.—The Rent was reduc'd from 20^s to 3^s 4.

A.D. 1675.—The House where the leaden Cistern stood at S^t Michael's was taken down. From all w^{ch} it is plain that the Scheme did not succeed to the Satisfaction of the Undertakers.

APPENDIX D.

DISPUTE WITH NEW SARUM.

Notum sit omnibus quod cum contentio mota fuisset inter Majorem et Communitatem Civitatis de Novo Sarum ex parte una, et Majorem et Communitatem Villæ Suthampton ex parte altera, super quibusdam Tolnetis et Customis, quæ dicti Major et Communitas Villæ Suthampton a diversis hominibus prædictæ Civitatis de Novo Sarum exigebant et capiebant, tandem communibus amicis intervenientibus, ac videntibus quod maximum prejudicium temporibus futuris inde oriri potest, Partes prædictæ concordatæ sunt sub hac forma, Videlicet, quod prædicti Major et Communitas prædictæ Villæ de Suthampton, pro se et hæredibus et successoribus suis in perpetuum concesserunt quod omnes Cives prædictæ Civitatis de Novo Sarum et eorum hæredes et successores et Tenentes in prædicta Civitate manentes, quieti sint in perpetuum de omnibus Tolnetis, Muragiis, Pavagiis, Chaiagiis, Pontagiis, &c., quibuscunque pro Merchandisiis suis vel aliis quibuscunque rebus, in prædicta Villa Suthampton et infra Portum et Libertatem ejusdem Villæ, seu Limites eorundem

Be it known to all men, that whereas a Dispute had arisen between the Mayor and Community of the City of New Sarum on the one part, and the Mayor and Community of the Town of Suthampton on the other part, concerning certain Tolls and Customs w^{ch} the said Mayor and Community of the Town of S. Hampton have exacted and taken from divers persons of the City of New Sarum afores^d, at length by the intervention of common friends, who saw that great inconveniences might in time to come arise from the same, the s^d Parties have come to an agreement as follows: Namely, that the s^d Mayor and Community of the s^d Town of Suthampton do grant for themselves, their Heirs, Successors for ever, that all the Citizens of the s^d City of New Sarum, and their Heirs and Success^{rs}, and all Renters residing in the s^d City shall be quit for ever of all Tolls, Murage, Pavage, Keyage, Pontage, &c., whatsoever for their Merchandise, or any other Goods whatsoever that shall be exposed to Sale, or that are or may be sold in the said Town of Suthampton, and within the Port and

veniendis, venditis et vendendis; ac etiam de omnibus Bonis suis ad prædictam Villam Suthampton infra Portum et Libertatem ejusdem Villæ et Limites eorundem, seu de prædicta villa, vel aliis locis infra Portum et Limites ejusdem caratis seu carandis, tam per mare quam per terram quantum in eis est. Jure Regio semper salvo, salvo etiam q^d quod prædicti Cives prædictæ Civitatis de Novo Sarum et eorum hæredes et successores et Tenentes in prædicta Civitate manentes prædictis Majori et Communitati villæ Suthampton, prædictam villam Suthampton ad Feodi Fyrmam habentibus ut modo habeant Tolnetum usitatum pro (sequitur Catalogus earum rerum quarum Tolneta ad Feodi Fyrmam pertinent addito cujusque Tolneti pretio). Hiis Testibus, &c. An^o 2^o Edward Reg., post Conquest, tertii.

Liberties of the s^d Town or the Limits of the same, and for all their Goods that shall be bro^t into the s^d Town of Suthampton or its Port or Liberties, or the Precincts of the same, or shall be carried out of the s^d Town or any other place within the Port or Precincts of the same, either by Water carriage or by Land carriage, as fully as they can. Saving allways the King's right, and saving also that the s^d Citizens of the s^d City of New Sarum, and their heirs and Successors and the Renters residing in the s^d City, shall pay to the Mayor and Community of the Town of Suthampton, who hold the s^d Town of Suthampton in Fee Farm, all the usual Tolls for (here follows a list of the several goods, and the Duty paid for each is set down). Witnesses, &c. 2 Edward III, after the Conquest.

APPENDIX E.

DISPUTE WITH THE JUSTICES OF THE COUNTY.¹

Rex dilectis et fidelibus	The King (Henry VI) to our
nostris Johanni de Wyncestre	beloved and trusty John of
et sociis suis Justitiariis sup ^r	Winchester and his Colleagues,

¹ Many new privileges had been granted to the town in the first half of the fifteenth century, but at first they were not enjoyed without molestation from the county authorities. By a charter of Henry IV, the assize of bread, beer and other victuals, the assay of weights and measures, the exercise of all duties belonging to the clerk of the market, with freedom from the interference of the county justices, were granted to the borough authorities, but the complaint referred to here shows that the last stipulation had not been carried out.

excessus Operariorum et Tinctorum in Comitatu Southampton, ad audiendum determinandum, et ad quærendum talia in Commissione nostra facta sive facienda assignatis, Salutem. Ex parte Burgensium villæ Suthampton nobis est conquestum nuper quod homines ipsi per Cartas Progenitorum nostrorum quondam Regum Angliæ et Confirmationem nostram tenent villam prædictam de nobis et hæredibus nostris in Feodi Fyrmam, nobis et hæredibus nostris annuatim redendo £200 et quod iidem Burgenses, et eorum antecessores, Burgenses ejusdem villæ, a tempore confectionis Cartarum illarum semper hactenus habuerunt, et habere consueverunt, in auxilium Fyrmæ prædictæ Emendas Assisæ Panis et Cervisiæ ibi fractæ, et Fines et Amerciamenta de Sutoribus, Pannitoribus, Tinctoribus, et aliis Artificibus misteras infra Libertatem villæ prædictæ minus debite exercentibus necnon de Carnificibus Piscenariis, Salinariis, Reqratoribus et aliis Victuariis infra eandem Liber-

our Justices in matters concerning the Offences of Workmen and Dyers in the County of Suthampton, appointed by our Commission, granted or to be granted to hear, determine and enquire of things of that kind, Greeting. A complaint has lately been made to us in behalf of the Burgesses of the Town of Suthampton, setting forth that they by the Charters of our Progenitors, formerly Kings of Eng^l^a, and by our Confirmation of the same, do hold the s^d Town of us and our Heirs in Fee Ferme, paying yearly to us and our Heirs £200, and that they, the Burgesses of the s^d Town and their Predecessors, Burgesses of the same, have from the time of the making of those Chart^{rs} allways had, and been us'd to have in aid of the s^d Ferme the Power of rectifying the Assise of Bread and Beer¹ there when transgress'd, and the Fines and Amercements of Shoe makers,² Clothiers, Dyers and other Artisans exercising their Trades within the Liberties of the said Town unduely, and allso of Butchers, Fishmongers, Salt

¹ The assize of bread regulated the price of bread, and kept it in proportion to the plentifulness and price of corn; the loaves had to be of a certain size. There are instances on record of the Court Leet taking away from bakers loaves which they found "of no assize," and distributing them to the poor. Similarly the assize of beer regulated the size of casks, and compelled the brewers to sell according to the price of malt.

² The offence of which shoemakers were most frequently found guilty was openly working at their trade on Sundays. In 1603 the Court Leet recommended that churchwardens, during the time of divine service, should make search for the delinquents, and present their names to Mr. Mayor. The clothiers also were fined on several occasions for the same offence, also for paying their workmen in goods instead of money, "whereby the poor were much wronged." The dyers annoyed their neighbours by casting their dyeing water into the streets, thereby causing "unsavourie smells"; there was a dye house in Bull Street, of which the owners were continually fined for this offence.

tatem ad dampnum populi nostri partium illarum, excessive, vel alias indebite vendentibus. Vos nihilomenies, colore Commissionis nostræ prædictæ Fines et Amerciamenta pro Emendis Assisæ Panis et Cervisiæ ibidem fractæ, et excessibus dictorum Sutorum et aliorum Artificum, et Victualia in dicta Libertate ut præfertur vendentium, unde omni tempore maxima pars Fyrmæ prædictæ colligi et levare debet, et temporibus retroactis colligi et levare consuevit, inter cætera Fines et Amerciamenta pro excessibus Sutorum et operariorum officia sua in villa prædicta minus debite exercentium facta levare facere intenditis, in injuriam et dampnum non modicum et oppressionem, et solutionis Fyrma nra prædicta incommodum manifestum super quo supplicarunt, sibi quod nos in hac parte de remedio congruo provideamus.

SCIATIS quod in Curia nostrorum Magnatum Senatus nuper in Parlamento nostro apud Westmonasterium convocato existentium recognitum existit quod dictarū Libertatum Burgenses Amerciamenta pro Emendis Assisæ Panis et Cervisiæ fractæ et pro aliis

Merchants, Regrators¹ and other Victuallers who sell within the said Liberty at an excessive price, or in any other undue manner, to the Prejudice of our People in those parts. WHICH notwithstanding Ye do, under pretence of our s^d Commission intend to levy the Fines and Amercements that are incurr'd for rectifying the Assize of Bread and Beer, there transgressed, and for the offences of the s^d shoemakers and other Artificers, and those that sell victuals as above s^d within the s^d Liberty, from w^{ch} Fines, &c., the greatest part of our s^d Ferme ought at all times to be collected and levy'd, and in times past was us'd to be collected and levy'd, among others the Fines and Amercements for the offences of shoemakers and other Handicrafts who exercise their Trades unduly in the s^d Town, w^{ch} ye intend to levy, to their injury and great loss, and to the manifest prejudice of the payment of our s^d Ferme whereon they have petition'd us to procure them suitable redress in this case. KNOW YE that in the Court of our Lords of Parliament lately assembled in our Par^t at Westm^r, it was

¹ The term "regrator" meant one who bought provisions in order to sell them again for profit; such persons were in early times considered enemies to the community. By one of the Guild Ordinances, no regrator of kids, lambs, birds, cheese, butter, eggs, etc., was allowed to buy victuals to sell again before 6 a.m., nor before the discreets of the town and other free men had bought their catables. Neither was he permitted to go out of the town to meet provisions which were being brought into it. For some of the regulations for butchers and fishmongers see Chap. VIII.

Finibus et Amerciamentis quæ de Operariis et Tinctoribus et Artificibus in Parlamento nostro factis infra Libertatem prædictam habere Majori, Ballivis, communitati et Burgensibus ad Firmam, Fines et Amerciamenta quæ in auxilium Firmæ suæ, quæ ante hæc tempora per nos vel Predecessores nostros rationabiliter concessa, consueverunt percipienda, prætextu Ordinationis prædictæ minus se debere impediri, et vobis mandamus quod ipsos Burgenses Emendas Assisæ Panis et Cervisiæ in villa prædicta fractæ ac Fines et Amerciamenta Sutorum, Pannariorum Tinctorum et aliorum, misteras suas infra Libertatem eandem minus debite exercentium, necnon Carnificum, Piscenariorum et Tabernariorum, Pistariorum et aliorum Victualia infra eandem Libertatem exessive ut præmittitur vendentium quæ in auxilium Firmæ prædictæ Villæ ante Ordinationem prædictam sic factam per Ballivos ejusdem villæ levare et colligi consueverunt, in auxilium Firmæ prædictæ, levare, percipere et habere permittantur, pro ut ipsi et eorum antecessores Burgenses villæ prædictæ Emendas, Fines et Amerciamenta in auxilium Firmæ prædictæ a tempore confectio- nis cartarum prædictarum

found that the Burgesses of the Liberties aforesaid do hold to Ferme to the Mayor, Bailiffs, Community and Burgesses, the Amercements for rectifying the Assise of Bread and Beer when transgress'd, and other Fines and Amercements of Handicraftsmen, Dyers and Artificers, appointed by our Parl^t within the s^d Liberties, and they ought not to be molested in the receipt of those Fines and Amercements w^{ch} in times past were reasonably granted to them by us and our Predecessors in aid of their Ferme, on pretence of the Commission afores^d, and we command you that ye permit all Fines for the Assise of Bread and Beer, and the Fines and Amercements of Shoemakers, Clothiers, Dyers and others who exercise their trades unduely within the s^d Liberties, and allso of the Butchers, Fishmongers, Publicans, Bakers and all others who sell Victuals within the s^d Liberty at too high a Price, w^{ch} us'd to be levy'd and collected by the Bailiffs of the s^d Town, in aid of the Ferme of the s^d Town before the Commission afores^d was issu'd, to be levy'd, receiv'd and had by them in aid of their s^d Ferme, in like manner as they and their Predecessors, Burg^s of the s^d Town have allways had, and with good reason have been us'd to levy, and have the s^d

semper habuerunt, et rationabiliter levare, percipere et habere consueverunt; de his Emendis Assisæ Panis et Cervisiæ ibidem fractæ, et Fines et Amerciamenta Sutorum et aliorum prædictorum, quæ in auxilium Firmæ prædictæ villæ, ut præmittitur levare et colligi consueverunt, levare faciendo vos in aliquibus non intromittentes.

PROVISO quod Fines et Amerciamenta pro excessibus Operariorum et Tinctorum in villa prædicta eorum nobis facta et facienda, ad opus nostrum leventur, juxta formam Ordinationis supra dictæ.

Teste Rege apud Westmonast., xii die Octob., An^o Reg. xxxi.

Bread money, Fines and Amercements in aid of their Ferme from the time of the making of those Charters. And that ye do not in any wise intrude yourselves by meddling with the Assize of Bread and Beer there, or by ordering to be levy'd the Fines and Amercements of Shoemakers and others afores^d w^{ch} us'd to be levy'd and collected in aid of the Fee Ferme of the s^d Town as is before mention'd.

PROVIDED that all Fines and Amercements of Artisans and Dyers incurr'd or to be incurr'd before us, shall be levy'd to our use, according to the form of the Commission afores^d.

Witness the King (Henry VI) at Westminster, 12 Oct^r, year of his Reign, 31.

APPENDIX F.

THE EXPULSION OF JA^s CAPELIN¹ BY THE COMM^{RS} FOR REGULATING CORPORATIONS, A.D. 1662.

At the Commission for regulating the Corporation of Southampton, sitting the 20th August, 1662, Oath was made unto the Commissioners, there being present—

¹ James Capello was mayor in 1648 and again in 1659; in spite of his expulsion by Charles II's commissioners, he does not appear to have been very enthusiastic in the cause of the Commonwealth. Like many of his colleagues at that time, he did not obey the commands of the government with much alacrity. In a letter dated May, 1656, written from Winchester to Secretary Thurloe, reference is made to "very sad complaints concerning the unworthy carriage of the Magistrates of Southampton against the godly party." It is also said that Richard Cromwell and his father-in-law, Richard Major, of Hursley, were "very sensible of their wicked spirit and judged it absolutely necessary that something should be done against it." In his second period of office, James Capello received orders from Lord Fleetwood, the commander of the army, to provide thirty or forty fire-arms for recruits, but the

W^m Stanley,¹ Rich^d Goddard, Tho^s Knollys,² Roger Gollop,² Tho^s Mill, Edw. Hooper, Pet^r Clungeon,³ Rob^t Richbell,¹ W^m Horne, Edw. Downer.⁴

That James Capelin, beinge Mayor in the tyme of the Rump, did charge divers Persons with Armes, especially Tho^s Farr with 12 Musketts, with all things belonging to them, to assist Major Cadwell, then a Commander for the Rump; and told the s^d Tho^s Farr that the King was coming in with a forraine Power, and would bring in Popery with him, w^{ch} he would oppose with the best bloode in his body.

And was heard say publicly in the open Streete with a lowd Voice that the King was coming in and would bring in Popery, and charged Henrie Meriefeild, a Gunsmith, to get what Armes he had to be ready fix'd. This John Speering heard him say, though at a greate distance from him in the Streete.

On the Oath of Tho^s Farr,⁵ and the Affirmation and Testimony of John Speering, it was put to the Vote, and of the ten Com^{rs} there were eight voted that James Capelin shou'd be expung'd out of this Corporation.

There were other Articles exhibited against him, as—

I. That James Capelin was in Armes against the late King,

number sent did not amount to twenty. A few days later Sir Arthur Haselrig, who had been received by the authorities at Portsmouth, which had declared for Parliament, wrote to the mayor requesting that a deputation might be sent from Southampton to consult on the public good. Capelin returned an evasive answer, and nothing was done. In 1660, after the terms of the Declaration of Treason had been published, Capelin, as mayor, signed a document in which the corporation declared that they received with thankfulness the king's free and general pardon, and pledged themselves to continue his loyal servants; but it appears that there were many disaffected persons and unruly sectaries in the town, so the government desired to know the names of those "forward and obstinate people who continued to disturb the government of the town." The names were sent, and James Capelin was expelled for the reason alleged in Appendix F.

¹ William Stanley and Robert Richbell were the town's representatives in Parliament at the time of the Restoration.

² Thomas Knollys and Roger Gollop were M.P.'s for Southampton in 1656. Roger Gollop held the post of recorder in 1662 and again in 1669, and Charles II visiting the town in that year, we are told that the recorder "made a speech on his knee, his Majesty giving good attention."

³ Peter Clungeon (see also Chap. XI, "Admiralty Jurisdiction") had been mayor in 1646.

⁴ Edward Downer, mayor in 1660, was one of the few members of the corporation who remained at their posts during a very severe visitation of the plague in 1665. The first case was reported in June, and from that time till December the sufferings of the poor were intense. The mayor, Thomas Cornelius, sent an appeal for help to all places round, in which he estimated the weekly expense of relieving the victims at £150. It is interesting to notice that the king sent twenty tons of French wine, which was sold for about £250, and £20 in money. Downer supported the mayor in expressing disapproval of the many public officials who had deserted their posts in the panic of the time, and varying fines were imposed on them for neglecting to give their assistance in the time of affliction. It was at Downer's house that the Duke of Buckingham stayed on the occasion of the royal visit in 1669, Monmouth being the mayor's guest, while the king was entertained at Mr. Richbell's house in the High Street.

⁵ As this was the same Thomas Farr who was expelled from the council for embezzlement when he was mayor in 1676, his oath may not have been of very great value.

and was Captain of a foot Company in the Garrison of Southampton, either as a Voluntier or bie Commission.

II. That in 1653 the Mayor was inhibited the apointeinge Orthodox Ministers to preach the Thursdaies Lecture¹ in that Toune by Oliver Cromwell, and other men of diferent Sects apointed to preach that Lecture, and that James Capelin went ordinarilie to heare them at their Lectures.

III. That James Capelin, being Mayor in 1660, did, without the consent of the major part of the Corporacion, of his own arbitrarie Will elect and sweare 12 Burgesses without a penny Fine or benefit to the Corporacion for any one of them, that only thinge being 500^l prejudice unto it, for that soe much many men have given, and offer'd soe much for the same Fredomes, and several of those men chosen of differinge judgements from the maine body of the Corporacion.

IV. That James Capelin during the time of his Mayoraltie, after the results of the comon Counsell held at the Audit-house, had, imediately after, privat consultations at his oune house with a Cabal of persons of other judgments, and had communication with such among them as were not of the Corporacion.

V. The same as the Articles sworn to.

VI. That James Capelin is not serviceable to the Corporacion by his assistance to the Mayor and comon Counsel at such Somons as he ought, and that he appears not at their Meetings, though at all times warned by an Officer, not so often as requir'd, but absents himself without any warrantable excuse, and soe for divers yeares past hath accustom'd to do.

VII. That James Capelin hath very often boasted how usefull he hath been, and what service he had done for the late Comonwealth, and tooke great delight in its relation, and that when he was a Captaine he disarm'd some persons well affected to the King. All which being sommed up, from his first undertaking Armes against the late King, to his first Knowledge of our present King's restoracion, doth make him visibly appeare to be a very disaffected person, and unworthy of any Trust under him.

¹ Besides the clergy of the parish churches, there was formerly a lecturer (sometimes more than one) in the town. In the Journal of 1608 there is an entry to the effect that the collection for the lecturer amounted to £14 for one quarter. In 1615 there were four lecturers, who took it in turn to deliver a lecture at Holy Rood Church every Thursday. The mayor was forbidden to appoint the lecturer in 1653, for an order was sent down from the Council of State to certain commissioners appointed by them, exhorting them to take great care that they supplied the Thursday lecture with "godly and able ministers." See Appendix H.

These Articles were read before the Commis^{rs} above nam'd, who gave sentence as above.

The two that voted in his favour were W^m Stanley, Pet^r Clungeon.

APPENDIX G.

THE AGREEMENT¹ FOR THE INHABITANTS TO REPAIR THE BANKS AT THE SALT MERSHE.

Be it knowen to all the Inhabytants and Comyns of this Towne of Suthampton, that the Meyre, Bailiffs and Burgesses of the same be content and agreyd that the sayde Inhabytants and Burgesses shall have the Salte mershe comyn in manner and form following, and upon such conditions as hereafter ensue.

Fyrst, if the Inhabytants of the Towne of Suthampton wyl be content to bere ther parte of the Charge of £19 : 11 : 0 and odd money w^{ch} hath be spent upon the Saltmershe this last yer past, for making of the Groynys, and other Charges for the defence of the Se agenst the same Mershe, and over and above that to bere ther parte of the Charge that shall be yerely requyred, nedefull for the contynual keypyng and defendyng of the See oute of the sayde Mershe, that then they to have lyke Liberty and profite of the sayde Mershe, as the s^d Meyr, Bailiffs and Burgesses shall have after the Rate.

Or ells ; Wheras the sayd Meyr, Bailiffs and Burgesses hath bene at grete and importunate Charges for the same Mershe (fyrst in the law by Arbitrement and otherwise, and also in the makyng of a Gutt or sluice, and other charges, w^{ch} the said Meyer, Bailiffs and Burgesses have ryght wel and lovyngly consyder'd had be to grevous for the sayd Inhabytants to have borne), that notwithstanding, if the sayd Inhabytants wyl be content for ther part that six or eight of themselves, suche as the sayd Meyer, Bailiffs and Burgesses shall name, wyl be bound by obligation to the sayd Meyer, Bailiffs and Burg^s and to ther Successors, that they and ther Successors from hens-

¹ The circumstances under which this agreement was made are dealt with fully in Chap. XI, "The Common."

forth shall defend the See oute of the sayde Mershe and every parte thereof, and also when any of the sayd six or eight fortune to disese, or that ther be no mo left of them alyve but four, or three at the lest, then as many other of the sayd Inhabitants to be nue bound, in manner and form as is above sayde, and by the Nomination of the sayd Meyr, Bailiffs and Burgesses and ther Successors, that then the sayd Meyr, Bailiffs and Burgesses be content that then it lye opyn and be comyn for every man, as wel to the Inhabitants as Burgeysys.

Or ells; To close it in and lete it to ferme by the yer, tyll oon croppe be takyn thereof yerely, whyche croppe shall be spent upon the same as shall be thought most nedefull, and after the sayd croppe be so taken, the sayd Mershe to be opyn and comyn, as wel to the sayd Inhabitants as to the Burgeysys.

And notwithstanding the Premisses, if the sayd Inhabitants wyl be content at ther Cost and Charge to sufficiently nue make up the Banks from Itchyn Crosse to the Groynys, so that it may surely defend the See out of the sayd Mershe, and the same Banke, so by the sayd Inhabitants at this oon tyme sufficyently made, yerely hereafter, when the sayd Banke shall nede Reparation, to bere ther parte of the same Reparation with the sayd Meyr, Bailiffs and Burgeysys, that then the sayd Mershe lye opyn and be comyn, as wel to the sayd Inhabitants as to the sayd Meyr, Bailiffs and Burgeysys.

And the sayd Meyr, Bailiffs and Burgeysys be content to discharge the sayd Inhabytants of paying of any penny of the said £19 : 11 : 0 and odd money, and of all other charges w^{ch} the sayd Meyr, Bailiffs and Burgeysys have bene at upon the nue makynge of the sayd Gutt, Sluce and Bankes, so that hereafter all such Reparations as hereafter shall be nedefull as wel upon the sayd Gutt and Sluce as upon the sayd Banke, by the sayd Inhabitants so nue made, shall be borne at every tyme nedefull as wel by the sayd Meyr, Bailiffs and Burgeysys as by sayd Inhabitants Rately.

To this the inhabitants reply'd as under :—

As to the Salte Mershe, your pore Comyns sayn, oute of tyme of mynd hit hath ben an opyn comyn and occupied for a Comynwele, ease and profett for the Burges and Comyns of this Town, saff unto now late there was a Sute and Controversy between the hooll body of this Town and theym of Gods-hous, for the defens of w^{ch} sutes and other labours your pore Comyns for the Recovery of the same bare ther parte of the Charges

and Cost everych of theym Rately, after ther Degre, and more wold have don rather than to have lost it. And in lyke wysè your seyde pore Comyns will be ever ready to do for such a Comyn Wele if any other person or persons hereafter wold attempt any such Sutes, to theyr pore power and Degre, and over that will ever be ready to withstand all manner of persons with theyr bodyes and Goods that wold attempt to usurp upon any poynt or parcell of the Libertyes and Fraunchyses of this Town, beseechyng and praying your honourable Masterships all, that the sayd Salte Mershe may be as of auntyent tyme it hath ben, that is to say opyn Comyn still for all Burgessys and Comyns of this Town, without that it in any wyse shall be lette to ferme for any Rent yerely in no manner wyse, ne the fyrst Cropp taken of it in no yere to come, but it to stand full Comyn, as of old tyme it hath ben. Theise Premisses to be by your discretion considered, we humbly beseeche you to be good Masters to your pore Comyns.

And your sayd pore Comyns sayn, as to pay any money farther for the makyng of the Slusse, Brigge or Cutte makyng there, they prayn your Wissedoms in that matter to asses non of theym, for they intend to pay non, in no wyse. But this they seyn that if ever in tyme to com it shall happen any more farther defens or Reparation to be don all aboute the seyde Mershe, wheder it be grete Works or small, what fortune that hereafter shall fall, your seyde pore Comyns sey they will ever be redy to bere theyr Rately parte to theyre power and pore degrees, as our Masters, the Burgessys of the Town, shall do for the amending of the same Mershe, or the defens of it, and that so it may please your Mastershipps remembryng your pore Comyns are not as yet at a fordele¹ in riches, trustyng to God to encrease under your Mastershipps so ye be content with this theyr answer at this tyme, and so they shall pray to God for you.

And worshypful Masters, if there be any poynte in this aunswere that doth or shold sounde to any greff or displeasure to you, or wth nedeth amendement, so that it may conduce to a good and general Comyn Wele, lete be knowe your discrete mynds in Articles by wryting, and so we trust to accomplish your mynds for the universal Wele of you Master Meyr, your comburgessys, and all the Comyns, who ar your own pore Comyns.

1 "At a fordele"—*fordele* or *fordeal* means advantage.

APPENDIX H.

ORDER OF THE COUNCIL OF STATE TO THE RIGHT HONOR^{BLE}
THE COUNSELL OF STATE.

The Petition of many well affected in the Towne and County of Southton humbly sheweth—

That the thursday Lecture in Rhodes Church being under Sequestration in the s^d Towne, was by Order from the Comm^{tee} of plunder'd Ministers dated 17 Jan., 1647, committed to the care of Col^l Rich. Norton,¹ Rich. Major,² John Hildesley, Esq^r, and others to the end it might be supplied with godly and well affected Ministers, who by their Order, dated 24 Jan. 47, appoynted Mr. Nath. Robinson³ and others to preach the s^d Lecture. But since the dissolution of the s^d Committee of plunder'd Ministers, the Mayor and Aldermen, together with Mr. Bernard,⁴ a Minister elected there by themselves, denied Mr. Robinson to preach the s^d Lecture ther, but he eyther preached it himself, or some other by his procurement, who have beene for the most part most notorious Enimies to the Commonwealth, or scandalous ignorant men.

Your Petitioners farther humbly sheweth that ther was by Order of the s^d Com^{tee} of plunder'd Ministers, dated 14 Jan. 1652, an Augmentation of £100 pⁱ ann., issuing out of the Chantry

¹ Colonel Richard Norton commanded the Parliamentary forces at Southampton in 1643, when the town was threatened by the Royalists, who were strong in the county. He led an attacking party to Romsey, which was held by the Cavaliers, defeated the enemy and brought away forty prisoners, among whom was his own brother.

² Richard Major, of Hursley, was the father-in-law of Richard Cromwell. In 1658, when his daughter came on a visit to him at Hursley, the town sent her as a present two hogsheds of wine.

³ Mr. Nathaniel Robinson—Comparatively little is known of him, except that he was one of the most prominent Nonconformists in Southampton in the seventeenth century. He was intruded into the living of St. Lawrence about the year 1648, for in the Journal of that year there is an entry ordering the payment of £10 a quarter to several of the town clergy, among them "Mr. Robineon of St. Lawrence." Afterwarde he held the living of All Saints', from which he was ejected when the Act of Uniformity came into force in 1662, because he was not in Holy Orders and refused to conform. He continued to preach to a congregation of Nonconformists until his death in 1696. During the persecutions of Charles II's reign the members of this congregation met where they could, frequently in private houses; then a small meeting house was built on a site which was leased to them by Mr. Robert Thorner, and which is occupied by the garden of the present Above Bar Chapel. In 1688, after more freedom of worship was granted, the congregation organized itself into a church, of which Mr. Robineon was chosen pastor.

"It must be a subject of regret that the documents respecting him are so unsatisfactory and few, but though little is known of him on earth, his witness is in heaven and his record is on high." (*Brief Records of the Church of Christ of the Independent Denomination at Southampton*, by the Rev. T. Adkins.)

⁴ Mr. Bernard was at that time vicar of Holy Rood; the action of the mayor (who had been aided by Mr. Bernard) complained of in this petition was the filling of the post of lecturer with men who were not loyal enough to the government.

of Maries, with the consent of Mr. Rought the incumbent,¹ allow'd and settled towards the maintenance of the godly Ministers in Southton afores^d, w^{ch} since the dissolution of the s^d Com^{ttee} of plunder'd Ministers, the said Mr. Rought neglecteth to pay. And your Petitioners knowing noe wheare to complaine for redress, but to this hon^{ble} Counsel.

Humbly, therefore, prayeth that you will be pleas'd by your Order to recommend the care of the s^d Lecture to Mr. Nath. Robinson, Mr. Behaute, Mr. Terry, Mr. Crandon, and Mr. Cox ; and that neither the Mayor nor Mr. Bernard doe oppose them in preaching thereof, and that Mr. Rought be order'd to continue the payment of the s^d Augmentation, according to the s^d Order of the Com^{ttee} of plunder'd Ministers.

Wednesday, 26 Octob., 1653.

Att the Counsell of State at Whitehall.

Upon the readinge of a Petition presented to this Counsel from many of the well affected in the Towne and County of Southton, settinge forth that by virtue of several Orders from the late Com^{ttee} of Parliam^t for plunder'd Ministers, appoynting Col^l Rich. Norton and others to take care y^t the several voyd Churches, and the thursdays Lecture in Rhood's Parish in the Towne afores^d might be supplied with godly preachers, the s^d Col^l Norton, with the rest did appoynt Mr. Robinson with others to preach the s^d Lecture, who continued their s^d Exercise ther till they were disturbed therein by one Mr. Bernard, a Minister ther elected by the Mayor and some of the Aldermen, and that the Augmentation of £100 pⁱ ann. made and allow'd by Order of the s^d Com^{ttee} for plunder'd Ministers out of the Chantry or Rectory of Maries, with the consent of Mr. Rought the incumbent, towards the maintenance of the godly ministers in Southton, is allsoe since the dissolution of the s^d Com^{ttee} deteyn'd and withheld, and therefore craves the Counsel's Order touchyng the Premisses. Upon consideration whereof, and the State of the bussines as it is therebie represented to the Counsel.

IT IS ORDERED that Col^l Rich. Norton, Rich. Cromwell, Rich.

¹ Mr. Rought was incumbent of St. Mary's at this time, and the revenues of the chauntry were in his hands. He was required by the order of the Committee for Plundered Ministers to pay £100 yearly to the ministers of the four town churches, but declined to do so until the answer to this petition compelled him.

Major, Jn^o Hildesley, Pet^r Murford, Esq^{rs},¹ Ro. Wroth, Pet^r Legay, Jn^o Barton, Da. Hersent, Gents, or any 3 of them, be appoynted a Com^{ttee} to take care for the supplying the sev^l voyde Churches, and the thursdaye's lecture at Rhooode's Church in the Towne of Southton with godly and able Ministers, and allsoe to take care that the Augmentation of £100 p^t ann. made and allow'd out of the Chantry or Rectory of Maries as afores^d, may be dewly rece'd out of the profitts of the s^d place, and applied toward the maintenance of the s^d godly Ministers of Southton. AND to the end the s^d Com^{ttee} may be enabled to doe anything that is committed to them in as ample manner as the Com^{ttee} formerly appoynted by the Com^{ttee} for plunder'd Ministers was.

THE COUNSEL doth hereby give to the Com^{ttee} now nam'd by them the same powers w^{ch} were given by the s^d Com^{ttee} for plunder'd Ministers to the persons appoynted by them to this service.

AND the Mayor and Aldermen of the s^d Towne of Southton are hereby requir'd to give Order and take care that the preaching place in the Church of Rhooodes wherein the s^d Lecture hath usually bene preacht may be free to such persons to exercise in as shal be appoynted by the Com^{ttee} herein nam'd or any 3 of them to preach the s^d thursdaye's Lecture.

JO. THURLOE, Sec^r.

¹ Major Peter Murford, commandant of the town, is reported to have been a coarse and harsh tyrant. As governor, he had the custody of the Princess Elizabeth and Henry, Duke of Gloucester, children of Charles I, when they passed through Southampton on their way to Carisbrooke in 1650. It is said that at one time he kept the mayor a prisoner within the town walls, and turned Bull Hall into a gaol for Royalists.

APPENDIX I.

HOLMAGE'S OBIT.¹

The Mynd² of Nycolas Holmage and Jone hys Wyfe, holden in the Chyrche of sent Marys the 18 day of Jan.

	Paid.	£	s.	d.
To the Chanter for his wax	0	0	8
To ii Prests there	0	1	4
To ii Clarks there	0	0	8
To v Ceurats of the Towne	0	2	6
To v Clarks	0	1	8
To iiiii Chylde	0	0	4
To pore Men	0	0	9
To the Frerys	0	2	6
To M ^r Meyre	0	3	4
To the Steward	0	2	0
To iiiii C. of whyt bonys ³	0	4	0
To ii C. of spysyd bonys	0	2	0
To Spyse and Butter	0	0	10
To 1 Dos. and halfe of gud Ale	0	2	3
To 1 Dos. of Peny Ale	0	1	0
To 1 Galon of wyne...	0	0	8
To beyryng of all y ^e Stufe to S ^t Marys	0	0	4
To the Bedman ⁴	0	0	2

The having of two Prests and two Clerks at the Chantry, beside the Chanter, seems to favour the opinion of this being a Collegiate Church.

¹ Nicholas Holmage, see Chap. XVI.

² Mynd—the commemoration of a departed soul, especially by a requiem sung or said. Jeremy Taylor speaks of “monthly minds and anniversary commemorations.”

³ Bonys—buns; whyt, because made of fine flour.

⁴ Bedman—bedesman or beadsman, from the Anglo-Saxon *bed*, a prayer.

APPENDIX K.

LIST OF MAYORS.¹

KINGS.	A.D.	MAYORS.	BAILIFFS.
R. II			
15	1392	John Polymond	John Flete
16	1393	" "	" "
17	1394	Walter Longe	John Penkoston
18	1395	Nich ^e . Langestoke	John Flete
19	1396		
20	1397		
21	1398	W ^m Overey	Ri. Bradewey
H. IV			
1	1399	W ^m Ravenston	Tho. Wallis
2	1400	John Botiller	Jo. Cofyn, Jo. Derynge
3	1401	Tho. Middelyngton	H. Holewey, Jo. Bassett
4	1402	" "	H. Holwey, " "
5	1403	" "	Jo. Cosyn
6	1404	Hen. Holewey	" "
7	1405	Rich. Bradewey	" " Jo. Maskall
8	1406	W ^m Overey	" " Thos. Armorer
9	1407	Walter Longe	W ^m Nicholl, " "
10	1408		
11	1409	Jo. Beneyt	Jo. Maskall, Thos. Armorer
12	1410	Hen. Holewey	W ^m Bridlep, " "
13	1411	W ^m Nicholls	Jo. Maskall, Thos. Armorer
14	1412	Hen. Holewey	Jo. Renaud, " "

¹ This list of mayors is by no means complete. In 1828 a beautifully-written list was put in the Audit House, the names in which go back to 1237. This, of course, was not accessible to Dr. Speed, but it is used here to supplement his, and is given in full as far as 1392, when Dr. Speed's begins, after which differences between the two are noted. Comparisons are also made with the roll to be found in the Rev. J. Sylvester Davies' *History of Southampton*, where additional names, taken from other town archives, are mentioned.

YEAR.	MAYORS.	BAILIFFS.
1205		William de St. Lawrence, Thomas de Bussue
1209		Gese
1212		Roger Sweln, William Anglicus
1217c.	A mayor mentioned in a letter to Peter des Roches and Hubert de Burgh	
1222		Ralph Isembart, Michael le Fleming
1225c.		Walter Fortio, John de la Bulchuse, Robert Monachus
1237	Benedict, the son of Azon	Walter le Fleming
1247	Benedict, the son of Azon	Walter le Fleming, William Fortio
1248	Benedict, son of Azon	Walter le Fleming, Thos. Blaudus, Matthew Gese
1260		Roger Noel, John Fortio
1262		Thomas de Andever, Ralph the Little
1270	Simon de la Bolehuge	Thomas le Blunde, Robert le Mercier
1284	Robert le Mercier	William Beanbel
1286	John de Bynedon	Henry le Fleming, James Isambert
1288	Robert Le Mercier	John de Puteo, Adam le Hordyer
1290		Robert le Barbur, Robert le Mercer, Peter de Lyons

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	BAILIFFS.
H. V			
1	1413	Jo. Beneyt	Tho. Regald, Tho. Armorer
2	1414	Jo. Maskall	Walt. Fettiplace, Thos. Armorer
3	1415	Jo. Renaud	Tho. Regald, Ro. Danyell
4	1416	W ^m Soper	Pet. Jamys, Ro. Danyell
5	1417	W ^m Nycoll	" " " "
6	1418	Jo. Benet	Tho. Regald, " "
7	1419	Walt. Fettiplace	Jo. Selder, Bened ^t Wychfort
8	1420	Jo. Maskall	Ben ^t Wychfort, Tho. Freland
9	1421	Jo. Maskall	" " " "
H. VI			
1	1422	Pet. James	
2	1423	Tho. Belle	Jo. Selder, Ben ^t Wychfort
3	1424	W ^m Soper	Hen. Baron, Jo. Emery
4	1425	Tho. Freland	T. Wynterbourne, Ad. Marysh
5	1426	Walt. Fettiplace	Jo. Estewell, Ro. Floryse
6	1427		
7	1428	Pet. Jamys	Jo. Emery, Ro. Floryse
8	1429		
9	1430	Tho. Belle	Jo. Emery, Ben ^t Wychfort
10	1431	" "	" " " "
11	1432	Walt. Fettiplace	Ro. Chamberleyn, R ^t Hovingham

YEAR.	MAYORS.	BAILIFFS.
1291	Robert le Barbyr	John de Puteo
?	Robert le Mercier	Thomas le Blunde, John de Borgoyne
1294	Thomas le Blunde	Peter de Lyons
1295	Robert le Mercier	Nigel de la Wilderne, John de Borgoyne
?	Robert le Barbour	Peter de Lyons, John de Vaus
1298	Robert le Barbyr	John de Schyerlye, John Holebury
?	Peter de Lyons	John de Holebury, William Basingrom
1300	John de Schyerlye	William Basingrom, Walter Forst
?	Peter de Lyons	
1303	Adam le Horder	William Fugehel, Robert le Horder
?		Thomas Stone, Nigel de la Wilderne
?	Robert le Mercier	Philip or John de Pateo, Henry de Lymm
1311	John de Scherley	William Fugehel, William Basingrom, jun.
1313	Hugo Sampson	John de Vaus, Nicholas de Mondenard
?	Thomas de Blinedon	Nicholas de Lyons, Hugo Sampson
1315	Henry de Lym	John de Vaus, William Fugehel
1316	Thomas de Blinedon	Richard de Sutton, John de Vaus
1317	Richard de Barfuot	Robert Waryn, William Basingrom
1318	Hugo Sampson	Richard Forst, John Stacy
1319	John le Flemynge	John Balmayr, Richard Bagge
1320	Henry de Lym	John de Ronde, Nicholas Sampson
1321	Richard Forst	John le Barbyr, John de Vaus
1323	Hugo Sampson	John le Barbyr, Richard de Suttone
1324	Thomas de Blinedon	John le Barbour, Richard de Sutton
1326	Walter de Brakkelye	Robert de la Barre, Thomas de Nntshulling
1328	Roger Norman	Robert de la Barre

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	BAILIFFS.
H. VI			
12	1433	Jo. Emery	R ^t Aylward,
13	1434		[R ^t Hovingham
14	1435		
15	1436	Ro. Aylward	Jo. Payn, Ro. Floryse
16	1437		
17	1438	W ^m Nycoll	Jo. Bedyll,
			Ja ^s Thyrlethorpe
18	1439	Walt. Fettiplace	W ^m Flecher,
			Ja ^s Thyrlethorpe
19	1440		
20	1441	Ro. Aylward	Jo. Bridell, Nich. Holmage
21	1442	" "	" " " "
22	1443		
23 Hen. VI, the Town was made a County & had a Sheriff, and from this time the Sheriffs are mention'd, and the Bailiffs omitted.			
23	1445	Walt. Fettiplace	SHERIFFS.
24	1446	Jo. Fleming	
25	1447	" "	
26	1448	Pet. Jamys	
27	1449	Jo. Williams	
28	1450	Ro. Aylward	
29	1451	Jo. Payn	
30	1452	" "	
31	1453	Andr. Jamys	
32	1454	Ro. Aylward	
			Tho. Payn Gabriel Corbet

YEAR.	MAYORS.	BAILIFFS.
1329	Henry de Lym	John Barbour, Nicholas de Mondenard
1330	Roger Norman	Nicholas de Mondenard, Robert atte Barre
1331	Thomas de Bynedon	Henry le Flemynge, Nicholas de Mondenard
1332	Nicholas de Mondenard	Robert de la Barre, Thomas de Nutshellynge
1333	Hugo Sampson	Robert de la Barre, Thomas de Nutshulynge
1334	Lawrence de Mees	Nicholas Sampson, Robert atte Barre
1336	Thomas de Bynedon	Robert de la Barre, Walter de Brakkelye
1339	John Forst	Nicholas Lony, Walter de Brakkelye
1340	Thomas del Marche	Adam Inweys, Robert de Colyngburne
1341	John Forst	Nicholas Sampson, jun.
1342	Richard Imberd	William de Baddeby
1343	Nicholas Lony	Robert de Colyngbourne
1344	Henry le Flemynge	John le Clerk
1345	John Fysmarke	Robert de Colyngbourne
1346	Richard Comyn	Robert de Colyngbourne
1347	Richard Elmele	Adam Inweys
1348	John Forst	John Wytegrade
1350	Thomas le Clerk	John Hayne
1354	John le Clerk	Thomas de Abyndon
1357	Adam Inweys	Henry Staunford
1358	Adam Inweys	John Jardyn, Henry Staunford
1359	Adam Inweys	John Custumer
1361	John Wytegrade	Henry Staunford
1362	John le Clerk	Henry Staunford
1363	John le Clerk	Henry Staunford
1365	John Polymond	William Malmeshull

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
H. VI			
33	1455	Nich ^s . Holmage	John Sims
34	1456	Jo. Williams	Walter Clark
35	1457	" "	Walter Fettiplace
36	1458	Walt ^r Clark	W ^m Nedham
37	1459	" "	Rich. Grymes
38	1460	Rich. Grymes	Rob. Dagworth
39	1461	Rob. Dagworth	Walt. Aylward
Ed. IV			
1	1462	John Sims	John Walker
2	1463	John Payn, died, Walt. Fettiplace	Gilb ^t Carnemonger
3	1464	" "	Mich. Luke
4	1465	" "	W ^m Nedham
5	1466	Gilb ^t Carnemonger	Rich. Ash
6	1467	Jo. Walker	Vinc ^t Pittelesden
7	1468	" "	Rob. Bluet
8	1469	Rob. Bagworth	Jo. Burybrigg
9	1470	Jo ⁿ Williams	Tho. Reynold
10	1471	" "	Jo. Spring
11	1472	Rob. Bluet	Tho. Avan
12	1473	Tho. Payne	W ^m Overey
13	1474	Jo. Walker	Geof. Moumbray
14	1475	W ^m Overey	Vinil Dehy
15	1476	Ro. Bagworth	W ^m Gunter
16	1477	Tho. Reynolds	W ^m Surgbrow
17	1478	W ^m Gunter	Jo. Shropshire
18	1479	Jo. Ludloe	Lewis Gynes

YEAR.	MAYORS.	BAILIFFS.
1386	William Bacon	Edward Dieugard
1367	John Wytehode	Nicholas Langestoke
1368	Edward Dieugard	Roger Mascall, John Scarlett
1369	John Polymond	William Malmeshull
1370		Nicholas Sherwynde
1371	Radulph Tailleuer	William Malmeshull
1372	Robert Bechesfounte	William Malmeshull
1373	William Bacon, jun.	William Malmeshull
1374	Nicholas Langstocke	John Swofham
1375	William Bacon	
1376		William Malmeshull
1377	William Malmeshull	Richard Mey
1378	William Malmeshull	Richard Mey
1379	Nicholas Langstocke	William Walderne
1380	John Polymond	John Swofham
1381	John Polymond	John Flete
1382	John Polymond	John Swofham
1383	William Walderne	William Bowyer
1384	John Polymond	John Flete
1385	John Polymond	John Flete
1387	William Mapel	John Appelby
1388	William Mapel	
1390	William Mapel	John Flete
1391	John Polymond	John Flete

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
Ed. IV			
19	1480	Jo. Shropshire	Jo. Spring
20	1481	Tho. Overey	Tho. Smyth
21	1482	Lewis Gynes	Walt. Williams
	1483		
Ri. III	1484	Walt. Williams	David White
Hen. VII	1485	Jo. Walker	Christ ^r Ambrose
		Vinc ^t Thaye	Rich. Harewood
1	1486	W ^m Gunter	W ^m Perchett
2	1487	Christ. Ambrose	Tho. Dymock
3	1488	Lewis Haynes	Tho. Overey
4	1489	Tho. Overey	W ^m Hersey
5	1490	" "	Massier Salmon
6	1491	" "	Tho. Chambers
7	1492	Tho. Dymock	Jo. Gyldon
8	1493	" "	Jo. Godfrie
9	1494	W ^m Gunter	Jo. Walsh
10	1495	Massier Salmon	Pet ^r Spring
11	1496	Jo. Walsh	W ^m Justice
12	1497	Jo. Godfrie	Jo. Ward
13	1498	Christ. Ambrose	Ja ^s Markett
14	1499	Vinct. Thaye	Rob. Bushop
15	1500	Pet. Spring	Jo. Fleminge
16	1501	Rob. Bushop	Jo. Baudwin
17	1502	W ^m Justice	Ralph Calton
18	1503	Tho. Dymock	Rob. Young
19	1504	Jo. Fleminge	Jo. Gasse
20	1505	" "	Rob. Wright

ADDITIONS AND CORRECTIONS.

YEAR.	MAYORS.	BAILIFFS.
1393	Walter Loog	John Penkeston
1394	Nicholas Langestocke	John Flete
1395	John Flete	John Botiller
1396	William Mapel	John Penkeston
1397	John Flete	Richard Bradewey
1402		John Barflet
1404		also Thomas Armorer
1422	William Nycholl	Thomas Frelond, Benedlet Wychefort
1427	William Nycholl	John Selder, Robert Floryse
1435	Peter James	Adam Marsh, Robert Floryse
1437	William Nycholl	
1438	William Marche	
1443	Walter Fetplace	Gabriel Corbet
1444	Walter Fetplace	
1445	John Flemang	John Cadue, Andrew James
1446	John Flemmynge	
		SHERIFFS.
1447	Peter James	Henry Bruyn
1448	John Williams	
1449	Robert Aylward	Andrew James
1450	John Payne	William Harbelton
1451	John Payne	Simon Patryk
1452	Andrew James	Thomas Payne
1453	Robert Aylward	Gabriel Corbet

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
Hen. VII			
21	1506	Jo. Godfrie	Nich. Alward
22	1507	Jo. Baudwyn	Rich. Hills
23	1508	Rob. Bushop	Pet. Stoner
H. VIII			
1	1509	Rob. Bushop	Jo. Favour
2	1510	Nich. Alward	Jo. Grigg
3	1511	" "	W ^m Chalke
4	1512	Rich. Hills	Jo. Hossier
5	1513	Pet. Stoner	Jo. Percher
6	1514	{Tho. Baudwyn, died, Jo. Favour	Tho. Lister
7	1515	W ^m Chalke	Rob. Noell
8	1516	" "	Nich. Day
9	1517	Jo. Percher	Gilb ^t Montegue
10	1518	Tho. Lyster	Walt. Baker
11	1519	Nich. Day	Sampson Thomas
12	1520	Rich. Hills	Jo. Hossier
13	1521	" "	Hen. Huttoffe
14	1522	Gil. Montegue	Hen. Waterman
15	1523	Walt. Baker	W ^m Jeames
16	1524	Sams ⁿ Thomas	Jo. Itchens
17	1525	Jo. Percher	Pet. Westbrook
18	1526	Hen. Huttoffe	Rich. Capelin
19	1527	Jo. Hossier	Tho. Huttoffe
20	1528	Tho. Lyster	Jo. Piers
21	1529	Nich. Day	Jo. Walsh
22	1530	Hen. Walter	Edw. Markett

YEAR.	MAYORS.	SHERIFFS.
1454	Nicholas Holmehegg	John Dunne
1455	John Williams	Walter Clerk
1456	John Williams	Walter Fetplace
1457	Walter Clerk	William Nedham
1458	Walter Clerk	Richard Gryme
1459	Richard Gryme	Robert Bagworth
1460	Robert Bagworth	Walter Aylward
1461	John Dunne	John Walker
1462	John Payne, who was deposed by the order of the king, and succeeded by Walter Fetplace	Gilbert Cornemonger

From 1464 to 1480 Dr. Speed's list is correct if we read for each year the preceding one, *e.g.*,

1464	Walter Fetplace	William Needham, et seq.
1480	Thomas Avan	Thomas Symth
1481	Lewis Eynes or Gyne	Walter Williams
1482	Walter William	David White
1483	Walter William was re-elected, but soon afterwards fled and took sanctuary; then John Walker was elected	Christopher Ambrose

Again, from 1483 to 1514, the list is correct, if the date is put back one year. Variations in spelling occur, which sometimes make the name appear entirely different—thus in 1509 "Alward" is written instead of Cowart, and in 1511 "Hossier" for Husee.

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
H. VIII			
23	1531	Walt. Baker	
24	1532	" "	Rog. Thomas
25	1533	Rich. Capelin	Nich. Burwell
26	1534	Jo. Percher	Ja ^s Groce
27	1535	Hen. Huttoffe	Rob. Millet
28	1536	Sams ^a Thomas	Ja ^s Stoner
29	1537	Tho. Lister	Rog. Thomas
30	1538	Tho. Hossier	Edw. Markett
31	1539	Nich. Day	W ^m Burwell
32	1540	Pet. Westbrook	Tho. Riggs
33	1541	(Pet. Westbrook, died, (Nich. Burwell	Tho. Borey
34	1542	Walt. Baker	Tho. Fashin
35	1543	Tho. Riggs	Edw. Bushop
36	1544	Rich. Capelin	Jo. Vaughan
37	1545	Tho. Lister	Steph. Undey
38	1546	Tho. Fashin	Tho. Beckingham
Ed. VI			
2	1547	Jas. Stoner	Rob. Rumiger
3	1548	Tho. Beckingham	Tho. Wills
4	1549	Edw. Bushop	Tho. Goddard
5	1550	Tho. Riggs	Rich. Butler
6	1551	Tho. Goddard	Jo. Capelin
7	1552	Rich. Butler	Jo. Fager
Ma.			
1	1553	Jo. Capelin	Jo. Stayly
2	1554	" "	Geo. Vincent
3	1555	Jo. Stayly	Rich. Haukins
4	1556	Jo. Fletcher	Ed. Willmot

YEAR.	MAYORS.	SHERIFFS.
1514	William Chalke	Thomas Lvestarr
1516	William Chalke	Robert Milles
1518	John Parchard	Nicholas Dey
1517	Thomas Lyeter	Gilbert Mountague
1518	Nicholas Dey	Walter Baker
1519	Richard Hyl	Sampson Thomas

From 1519 to 1572 we must again read the preceding year for the date of the mayors. For the sheriffs the date is correct as far as 1530; in 1531 Roger Thomas was sheriff, then the names follow in correct order until 1566, when John Aurredd, or Awnde, died during his year of office, and was succeeded by Thomas Edmundes. In 1567 William Jefferys was sheriff, and in 1568 Lawrence Groce, who died during the year, and whose place was filled by John Knight. William Jefferys, the mayor in 1572, also died before his time of office had expired, and William Capelin took his place for the remainder of the year; Thomas Shuxboro was elected the next year, and at the same time John Ayles was sheriff.

The date must again be put back one year from this time, 1573, to 1717, in which year Arthur Atherley was mayor and Thomas Wells sheriff, names omitted altogether by Dr. Speed. Charles Smith and Francis Andrews held office in 1718, and from that time till the end of the list the names are in the right order.

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
Ma.			
5	1557	Rich. Haukins	Jo. Gregorie
Eliz.			
1	1558	Geo. Vincent	Nich. Capelin
2	1559	Jo. Gregorie	W ^m Stanley
3	1560	Edw. Willmot	Tho. Mills
4	1561	Nich. Capelin	Hen. Russell
5	1562	W ^m Stayly	Tho. Edmond
6	1563	Hen. Russell	Jo. Braddock
7	1564	Rich. Butler	Jo. March
8	1565	" "	W ^m Capelin
9	1566	Jo. Braddock	Reynold Howse
10	1567	Rob. Eyres	Jo. Aurred
11	1568	Jo. March	W ^m Jefferies
12	1569	Jo. Crooke	Jo. Knight
13	1570	Rich. Goddard	Laur. Groce
14	1571	Reyn ^d Howse	Tho. Shuxbery
15	1572	Jo. Knight	Tho. Dingley
16	1573	(Tho. Shuxbery, died, W ^m Jefferis	Jo. Jackson
17	1574	W ^m Capelin	Jo. Ayles
18	1575	Tho. Dingley	Hugh Darvall
19	1576	Rob. Knaplock	Bern ^d Courtney
20	1577	Jo. Ayles	Jo. Le-favor
21	1578	Hugh Capelin	Rob. More
22	1579	Jo. Jackson	Rich. Beeston
23	1580	Bern ^d Courtney	W ^m Barwick
24	1581	W ^m Stayly	Rich. Goddard
25	1582	Rich. Beeston	Pet. Janverin
26	1583	Wm. Barwick	Jo. Erington
27	1584	Rich. Goddard	Jo. Bullagar
28	1585	Jo. Crooke	And. Studley
29	1586	Jo. Erington	Rob. Russell
30	1587	Andr. Studley	Paul Elliott
31	1588	" "	Pet. Stoner
32	1589	Jo. Bullagar	Tho. Goddard
33	1590	(Pet. Stoner, died, Jo. Knight	Alex. Penton
34	1591	Jo. Jackson	Jo. Exton
35	1592	Tho. Holmes	Jo. Hopton
36	1593	Alex. Penton	Jo. Capelin
37	1594	Jo. Hopton	Rob. Cross
38	1595	Jo. Exton	Laur. Groce
39	1596	Paul Elliott	Jo. Jefferies

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
Eliz.			
40	1597	W ^m Wallop	Jo. Gregorie
41	1598	Rich. Beeston	Tho. Lambert
42	1599	Jo. Jefferis	Jo. Mayor
43	1600	Tho. Lambert	Rich. Cornelius
44	1601	Jo. Major	Tho. Sherwood
45	1602	Rich. Cornelius	Jo. Green
Ja. I			
1	1603	Edm. Aspten	W ^m Newey
2	1604	Tho. Sherwood	Rob. Chambers
3	1605	W ^m Newey	Jo. Cornish
4	1606	Rob. Chambers	Edw. Barlow
5	1607	Jo. Cornish	Jo. Longe
6	1608	Edw. Barlow	Phil. Toldervey
7	1609	Jo. Longe	Tho. Bedford
8	1610	Phil. Toldervey	W ^m Merinell
9	1611	W ^m Wallop	Christ. Cornelius
10	1612	Tho. Bedford	Hen. Carpenter
11	1613	W ^m Newey	Arth. Baker
12	1614	Edw. Richards	Jo. Major
13	1615	Arth. Baker	W ^m Meriott
14	1616	Jo. Major	Geo. Gollop
15	1617	Jo. Longe	Rich. Dalby
16	1618	W ^m Meriott	Hen. Capelin
17	1619	Laur. Prouce	Cha ^s Darvall
18	1620	Edw. Richards	Pet. Priaulx
19	1621	Rich. Dalby	Edw. Exton
20	1622	Geo. Gollop	Jo. Elzey
21	1623	Pet. Priaulx	Nich. Pescod
22	1624	Edw. Exton	Fra ^s Knowles
Ch. I			
1	1625	Jo. Elzey	Tho. Combes
2	1626	Nich. Pescod	Jo. Clungeon
3	1627	Fra ^s Knowles	Nathan. Mills
4	1628	Tho. Combe	Cha ^s Darvall
5	1629	Jo. Clungeon	Pet. Seale
6	1630	Nathan. Mills	Tho. Mason
7	1631	Pet. Seale	Pet. Clungeon
8	1632	Tho. Mason	Jo. Guillum
9	1633	Geo. Gollop	Jo. Riggs
10	1634	Pet. Clungeon	Barrish Daniel
11	1635	Jo. Guillum	Rob. Wroth
12	1636	Pet. Priaulx	Hen. Bracebridge
13	1637	Edw. Exton	Humph. Rymen

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
Ch. I			
14	1638	Arth. Bromfeild	Jos. Mason
15	1639	Rob. Wroth	Edw. Tatenes
16	1640	Hen. Bracebridge	Rich. Cornelius
17	1641	Nich. Pescod	Hen. Pitt
18	1642	Humph. Rymen	Pet. Legay
19	1643	Pet. Seale	Jo. Benger
20	1644	Tho. Mason	" "
21	1645	Hen. Pitt	Jo. Benger
22	1646	W ^m Stanley	Chr. Walleston
23	1647	Pet. Clungeon	Ja ^s Capelin
Ch. II			
1	1648	Pet. Legay	Tho. Cornelius
2	1649	Ja ^s Capelin	W ^m Horne
3	1650	Chr. Walleston	Nich. Capelin
4	1651	Rob. Wroth	W ^m Higgins
5	1652	Jos. Delamot	Jas. Clungeon
6	1653	Tho. Cornelius	Hen. Ward
7	1654	W ^m Horne	Edw. Marsh
8	1655 ¹	W ^m Higgins	Edw. Downer
9	1656	Hen. Pitt	Chas. Smith
10	1657	Jas. Clungeon	Nich. Clement
11	1658	Pet. Seale	W ^m Pinhorne
12	1659	Nich. Clement	Jac. Legay
13	1660	Jas. Capelin	Jo. Steptoe
14	1661	Edw. Downer	Arth. Bracebridge
15	1662	W ^m Stanley	Jo. Taylor
16	1663	Rob. Richbell	Kingston Friar
17	1664	Jo. Steptoe	Jac. Ward
18	1665	Tho. Cornelius	Jo. Parsons
19	1666	Arth. Bracebridge	Edw. Richards
20	1667	Jas. Clungeon	Rich. White
21	1668	W ^m Horne	W ^m Walleston
22	1669	Kingston Friar	Geo. St Barbe
23	1670	Jo. Winder	W ^m Stanley

¹ One fact has been left unnoted by Dr. Speed here, viz., that in 1654-5 William Higgins, mayor, and Edward Downer, sheriff, were deposed by order of Cromwell, and their places filled by William Horne and Edward Marsh. Apparently the Southampton authorities at this time did not show sufficient zeal for the Commonwealth government, therefore "His Highness and the Council having taken into consideration the miscarriage and misdemeanours of William Higgins, Mayor, William Stanley, alderman, and Edward Downer, sheriff, appearing by several examinations," resolved on their deposition, and ordered the corporation to elect in their stead "men of integrity and well affected to the present Government." However, in 1662 his majesty's commissioners for regulating the corporation restored the three offenders to their respective burgesse-ships "to have and to hold the same in as full and ample manner as if the above written order had not been made, and to enjoy their places of seniority accordingly."

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
Ch. II			
24	1671	Rob. Richbell	Jo. Loving
25	1672	Rich. White	Jo. Rowte
26	1673	W ^m Stanley	Alex. Hill
27	1674	Jac. Ward	Chr. Smith
28	1675	Tho. Farr	Jas. Cross
29	1676	W ^m Walleston	Hen. Norborne
30	1677	Jas. Cross	Jo. Ralins
31	1678	Alex. Hill	Elias Degruche
32	1679	Jo. Rought	Rich. Godfrey
33	1680	Edw. Downer	Geo. Shergold
34	1681	John Speed ¹	Jas. Mellish
35	1682	Chr. Smith	Sam. Allen ²
36	1683	Elias Degruche	
37	1684	Jas. Mellish	
Ja. II			
1	1685	Tho. Cornelius	
2	1686	W ^m Bulkeley	Jo. Thornburgh
3	1687	Alex. Alchorn	Cornel. Macham
4	1688	Rich. White	
W. III			
1	1689	W ^m Lyne	Pet. Bulkeley
2	1690	Jo. Smith	— Culliford
3	1691	Jo. Thornburgh	— Everard
4	1692	Jas. Cross	
5	1693	{ Edw. Eliver, died, Christ. Smith	Dav. Widdell
6	1694	Jo. Speed	
7	1695	Rob. Vernon	Tho. Bracebridge
8	1696	Cornel. Macham	
9	1697	W ^m Cropp	Aaron Deveule
10	1698	Elias Degruche	
11	1699	Pet. Bulkeley	Rich. White
12	1700	Jonath. Ingles	Jac. Ward

¹ In each mention of this John Speed we find that the order of succession is reversed : Christopher Smith was mayor in 1680 and John Speed in 1681, also in 1693 Robert Vernon held office and John Speed in 1694. The latter was the historian's grandfather, grandson of John Speed, the chronologer, and the author of *Batt upon Batt* (see Introduction).

² The names of the sheriffs omitted to the list are as follows (the dates of those given by Dr. Speed must be read as one year earlier, :—1682, William Lyne; 1683, John Smith; 1684, Robert Vernon; 1688, Edward Elives; 1686, Corcellius Macham; 1687, William Cropp; 1689, William Pocock; 1690, Jonathan Ingles; 1691, Thomas Everhard (the Robert Culliford mentioned in Dr. Speed's list refused to take office, and was accordingly fined £25); 1693, Thomas Bracebridge; 1694, Thomas Rice; 1695, John Winter; 1697, Daniel Veal; 1705, Thomas Macham; 1706, Francis Gardiner; 1708, Edmund Moody; 1710, Charlesman Richey; 1711, William Smith; and 1717, Thomas Wells.

LIST OF MAYORS—*continued.*

KINGS.	A.D.	MAYORS.	SHERIFFS.
An.			
1	1701	Ja ^s Mellish	Cha ^s Smith
2	1702	Tho. Cornelius	Sam. Downes
3	1703	Tho. Bracebridge	W ^m Godfrey
4	1704	Tho. Rice	Andr. Webb
5	1705	Jo. Thornburgh	Rich. Smith
6	1706	Aaron Deveule	
7	1707	Rich. White	
8	1708	Arth. Atherley	Jo. Grove
9	1709	Chas. Smith	
10	1710	W ^m Godfrey	Rog ^t Andrews
11	1711	Andr. Webb	
12	1712	Tho. Cornelius	
13	1713	Fra ^s Gardiner	Tho. Ingles
G. I			
1	1714	Jo. Thornburgh	Geo. Bussell
2	1715	Jo. Grove	W ^m Cornelius
3	1716	Rich. White	Jo. Ayres
4	1717	Edw. Moody	Fra. Cabot
5	1718	Cha. Smith	Fra. Andrews
6	1719	Tho. Ingles	Leon. Cropp
7	1720	W ^m Godfrey	W ^m Reade
8	1721	W ^m Cornelius	Cha. Reade
9	1722	{ Tho. Cornelius, died, Rog. Andrews	Rich. Raymund
10	1723	Fra. Gardiner	Arth. Bracebridge
11	1724	Jo. Ayres	Rich. Taunton
12	1725	Fra. Cabot	Rob. Vernon
13	1726	Jo. Grove	W ^m White
14	1727	Leon. Cropp	Rich. Atherley
15	1728	Tho. Ingles	Rob. Sadleir
16	1729	W ^m Reade	Rich. Purbeck
17	1730	Rog. Andrews	Tho. Cornelius

APPENDIX L.

Appendix L consists of "The Ancient Laws of the Gild of the Town of Southampton." As these are to be found in the "Oak Book," which will be translated and edited by Prof. Studer, M.A., and published subsequently by the Southampton Record Society,

they are not given here at length, though they are of the greatest importance in dealing with the social life of mediæval Southampton. The early history of the government of the town can best be studied in the Ordinances of the Guild Merchant, for this Guild took the place of the Corporation, and guarded the rights of the burgesses before Henry VI granted the Charter of Incorporation. There are six versions of the Guild Ordinances extant, the earliest of which is that given in the "Oak Book," and it is this text which Dr. Speed transcribed and translated from the original Norman-French text. The ordinances are of different dates (some of them probably are as old as the Guild itself), and we know from the earliest charter, that of Henry II, that the "men of Hanton" had their Guild in the time of Henry I.

By the fourteenth century we find the Guild Ordinances regulating both the affairs of the Guild Merchant as well as general matters in the town, and the Guild officers, in many cases, had other duties to perform besides those strictly belonging to the government of the Guild. These officers by that time comprised the alderman or chief alderman of the town, who was assisted by two bailiffs and twelve "discreets," or sworn men. The whole community elected these discreets, and they, on the same day, elected the two bailiffs. There were also four "discreets" of the market, two of whom saw that the regulations concerning the sale of fish were carried out, the other two looked after the meat and poultry market, and all four were required to take care that the statutes concerning bread brought to market were observed. Besides these, there were twelve aldermen of wards, whose duty it was to control the police and look to the sanitary regulations of the town, and a seneschal or steward, who acted as treasurer under the direction of the chief alderman.

Meetings of the Guild were held twice a year, on January 13th and June 24th, but the place of meeting varied; and although the only trace of the term "Guild Merchant" now to be found is in the word "Guildhall," in the Ordinances there is no mention of a guildhall.

A guildsman was generally a resident of the town, and held his membership by inheritance or purchase; one important restriction was laid upon him,—he was not allowed to give away or sell his place.

The name of Guild was used until comparatively modern times; the last time it is found in Borough documents is in 1704; since then it has fallen completely out of use.

APPENDIX M.

FORM OF THE JUDGEMENT.¹

Super quo visis Premissis per Barones hic habitaque matura deliberatione inde inter eosdem, consideratum est per eosdem Barones hic, Quod omnia et singula Libertates, Franchesia et Privilegia predicta in Informatione predicta specificata, a modo in manus dicti Domini Regis capiantur et scisiantur, ac in manibus suis remaneant.

Et quod a modo eadem Libertates, Franchesia et Privilegia penitus extinguantur et amoveantur. Quodque prefati Major, Ballivi et Burgenses Ville Southton predictae distringerentur ad faciendum Finem cum dicto Domino Rege pro usu et usurpatione suis super dictum Dominum Regem de Libertatibus Privilegiis et Franchesiis predictis.

Upon which the Barons here on sight of the Premisses, having taken the matter into mature consideration among them; It was decreed by the same Barons here, That all and every one of the aforesaid Liberties, Franchises and Priviledges, specified in the aforesaid Information, shou'd from this time be taken and seiz'd into the hands of our Lord the King, and in his hands shou'd remain.

And that the same Liberties, Franchises and Priviledges, shou'd from this time be totally extinguish'd and taken away. And that the aforesaid Mayor, Bailiffs and Burgesses of the Town of Suthampton aforesaid shou'd be constrained to make a Fine with our Lord the King for their Use and usurpation upon our said Lord the King concerning the Liberties, Franchises and Priviledges aforesaid.

From the Exchequer Rolls.

¹ The occasion of the giving of this Judgment was as follows :—The authorities were charged with the exercise of various liberties and privileges without any warrant or royal grant, and thus they incurred a *Quo Warranto* in the Court of Exchequer in 1635; no satisfactory reasons being given, sentence was pronounced against them. However, by the last governing charter, 16 Chas. I, all penal consequences of this judgment were remitted, and confirmation made of all liberties and privileges previously granted.

APPENDIX N.

THE ACT OF PARLIAMENT CONCERNING PRISAGE.

Rotulus Parliamenti tent'
per Prorogationem apud
Westm., sexto decimo die
mensis Januarii Anno Regni
illustrissimi et prepotentissimi
Principis Dni nri Henrici
octavi Dei grā Angliæ et
Franc., Regis, fidei Defensoris,
et Dni Hibernie vicesimo
secundo.

Item quedam alia Petitiō
exhibita est prefato Dno Regi
in Parlamento predicto per
Majorem, Ballivos ac Burgens.
Ville Southmpton, cum quā-
dam Cedula eidem peticoi
annexa cujus quidem Peticois
tenor sequitur in hec Verba.

The Roll of the Parl^t held
the sixteenth day of January,
in the twenty second year of
the Reign of the most illus-
trious and most powerfull
Prince our Lord Henry the
eighth, by the grace of God,
King of England and France,
Defender of the Faith and
Lord of Ireland.

Allso another Petition was
presented to our s^d Lord the
King in the Parliament afore-
said, by the Mayor, Bailiffs
and Burgesses of the Town of
Southampton, with a certain
Cedule annex'd to the s^d Peti-
tion, the Tenor of w^{ch} Petition
follows in these words :—

Humbly shewen unto your Highnes the Maire, Bailiffis and
Burgeisses of your Towne of Southmpton, whiche holde of your
Grace the same Towne in Fee Ferme yeldyng yerly unto your
Grace, your Heires and Successors two hundred Poundis, as by
the Grauntis by Letters patentis thereof made by your most
noble Progenytour Kyng Henry the thurde too the Predecessours
of your said Oratours by the name of Burgeses of your Towne
of Southmpton, and by your Grace confirmyd doth appere, Over
and above forty Markes of Encrece charg'd upon your s^d Oratours
yerly in your Court of Eschequyre by the names of Men of South-
ampton for the pardonyng and remysing of a Trespass¹ done by

¹ The main points in this petition made to Henry VIII are as follows :—

The mayor, bailiffs and burgesses state that they hold the town in fee farm, paying £200 yearly, and 40 marks in addition as a fine for an offence committed in Edward I's reign, that the defence of the town is a heavy burden on them, especially as trade has decreased, that in consequence wealthy merchants are deserting Southampton.

They beg (1) that the 40 marks fine may be remitted.

(2) That the office of weighing and gauging hitherto held by a person appointed by the king may be henceforth vested in the mayor.

(3) That release from prisage may be granted to the mayor in the same way as London and the Cioque Ports have been freed.

(4) That release from wine dues hitherto paid to the Abbeys of Beaulieu, Netley, Titchfield,

the Burgesses of your said Towne in the tyme of your noble Progenitour King Edward the firste, as by the Records of your said Eschequyre also doth appere.

And also your said Oratours, besides the Premissis be at many greate and yerly Chargis for daily Defence and Savegarde of your said Towne as well against the See as otherwise, and for the Reparacions and Fortifications of the Wallis, Towris, Towrettis, Bulwarkis, and Banckis. And for the keepyng of the Watchis and Wardis ther, and other chargis contynually agenst the See.

And your said Oratours have no manner of Rent, Profett, ne Succoure for Payment and Sustentacion of the Premissis, but only petie Custume of Marchaundise whiche of olde Tyme was accustomed to be levyed of the Goodis of Strangiers thither in Carreckis of Jeane (Genoa) laden with Jeane Woade, and in Gallies of Flourence and Venyse laden with Spicis; And now by Tyme of many yeres past, sithen that Tolowes Woade hath ben usually brought into the Realme, and that the King of Portyngale toke the Trade of Spicis from the Venyzians at Calacowte, fewe or noo suche Carreckis, Galeis, ne other Shippis have repayred unto your said Towne with Woade or Spicis, nor belyke to repayre hereafter.

And also the Trade¹ of other Marchaundises, by Warres betwene your Grace and owtward Pryncis hath ben longe tyme withdrawne from your said Town, soo that your said Oratours have byn forsid to pay of ther propre Goodis within few yeris past many greate sommes of money more than they could raise and levye of the said Petie Custume, and yet they stonde and be indetted for the said Fee Ferme in other great Sommes of money, as well unto your Grace as unto other having parcellis of the same Fee Ferme by the Grauntis of your Highnes and of your noble Progenitours.

And your said Oratours know not how too levye the same, and for doubte and feare thereof many Persons that ever lyke too have growne to greate Substaunce have departed and forsakyn your said Towne, and moo be in purpose and mynde shortly too departe from the same to the desolacion of your said

Waverley and St. Denys may be granted.

The petition was favourably received by the king, and all the requests granted.

There is a marginal note in Chapter X which refers to this trespass. "18 Ed. I the Town was seiz'd into the King's hands for wounding an Officer to death in his serving the King's writts. They submitted to a Fine and took a new Grant and rais'd their Fee Farm £20 a year."

1 For the trade of the town in the sixteenth century see Chap. XIII.

Towne, excepte your most gracious Favour, Helpe and Succoure be mercifully unto theym shew'd for their Releiffe in this their extreme necessite, havynge no other Succour, Aide, ne helpe, but only of your Highnes. In consideration whereof it may pleas your Highnes, most gracious Sovereigne Lorde, with the Assent of the Lordis spirituall and temporall, and the Commons in this Present Parliament assembled and by Auctorite of the same, for the Preservacion, supportacion and mayntaynyng of your said Towne, of your most habundant Grace and benyvolence to geve and graunte the said yerly some of XL marckys unto the s^d Maire, Bailiffis and Burgeses and too their Successors for evermore, and so utterly for ever too release and extyncte the same yerly somme of forty marckis, by whatsoever name or namys your said Oratours be incorporated, named or called, or for whatsoever cause or consideracion the said some of forty marckis of yerly encrease of the said Fee Ferme is and hath been demaunded, levyed or taken of your said Oratours and of their Predecessours, be it for the said Pardon and Remyssion made by the said King Edward the firste, for the said Trespass or otherwise; And that it may please your Highnes by the said Auctorite of this present Parliament to ordeyn, establishe and enacte that the said Maire, Bailiffis and Burgeses and their Successours, and also the Shireffe of the said Towne and his Successours for the tyme being, and all other Men and Inhabitants of the same, be and shall be from the Feaste of saynt Michael the Archangel in the xxii yere of your most noble Rayne, remysed, released and clerly acquyted and discharged agenst your Highnes, your Heires and Successours, Kyngis of this Realme forever, of the payment of the forsaid yerly Somme of XL marckis, and every part thereof, and that all suche Right, Title, Interest, Enheritance and Demaunde as your Highnes hath or any of your Progenytours have had in the same, or any parte or parcell thereof, be and shall be from the said Feaste clerly extyncted and determyn'd for ever.

And where your Highnes and your noble Progenytours of a long tyme have us'd to name, depute, make and ordeyne within your said Towne certeyne persons too occupy and exercise the Office of Gawgyng of all manner of Wynes, Oiles, Heryng, and other Merchaundise and Vesselis gawegeable and too be gawged within the said Towne, And also too be Poysers and Weyers at your Bealns within your said Towne, as well of Pokis and

Balenes¹ of Wulle as of all and singular other Merchaundises, It may pleas your Highnes with the said Assent and by the Auctorite afforsaid, too geve and graunte unto the said Maire, Bailiffis and Burgeses, and too their Successours for ever, for ther further Reliffe and Succour toward the Payment of the said olde and auntyent Fee Ferme of £cc to be paid as is aforesaid, and for the better supportacion and maynteyning of the s^d Towne the said Offices of Gawging, Poysing and Weyng at your said Beamys² within the said Towne to be had and holden, unto the said Maire, Bailiffis and Burgeses, and too their Successours for ever, with all Proffettis, Commodities and Advantages too the said Offices or every of them apperteyning and belongyng in as large and ample wise as any Gawgear or Gawgears, Poyser or Poysers, Weyer or Weyers, or any of them, heretofore have had or of right ought to have by reason of the said Offices or of any of theym, without any Rent, Ferme or Accompte, or other thyng too your Grace, your Heires and Successours to be yelden and paid for the same Offices and Profettis thereof, or any of them. And that it may be enacted by the Auctorite aforesaid that the said Maire, Bailiffis and Burgesis and their Successours from hensforth at their Will and discrecyon shall and may name, order, constitute and depute suche able Person or Persons as they from tyme to tyme shall see convenynt too occupie and exercise the said Offices of Gawgeyng, Waying and Poysyng, and every of them yeldyng unto the said Maire, Bailiffis and Burgesis and too their Successours, the very full and entire Profettis and avauntages growyng and comyng of the same Offices and every of them.

And also makyng a due and a juste Accompte thereof too the said Maire, Bailiffis and Burgesis and their Successours from tyme to tyme toward the Payment of the said Fee Ferme of £cc without any Rente, Ferme, Accompte, or other thyng for the same Proffittis and Avauntages hereafter to be yelden or paid too your Grace, your Heires or Successours, but only too the said Maire, Bailliffis and Burgesis and too their Successours as is afforsaid.

¹ A "poke" was a bag holding a definite quantity of merchandise, varying according to the nature of the commodity. Wool, coal, etc., were supplied in pokes. A bale was a large bundle of merchandise. The term was used sometimes as a measure of quantity, which varied at different times.

² The custody of the king's weighing beam or tron was, in early times, a right held by the Earls of Warwick; there is a record of a suit in 1275 which granted a certain tenement in the town to this family on account of their service in weighing all goods. At one time the beam was balanced on the hand, but foreign merchants complaining of cheating practised upon them, this method was abolished. In Edward IV's reign the mayor was made weigher at the king's standard.

And moreover that it may pleas your Highnes with the said Assent, and the Auctorite afforsaid too geve and graunte unto the said Maire, Bailliffes and Burgessis of your s^d Towne of Southampton, and too their Successours dwellyng and resident within the said Towne and Libertie of the same, and too all other free Burgessis that hereafter shall dwell and be resident within the same Towne and Liberties thereof for the tyme of their dwelling and residens ther, too be fully, clerly and frely acquyted and discharged ayenst your Grace, your Heires and Successours, Kyngis of this Realme for ever, from the said Feaste of Saynt Michael tharchaungell, of yeldyng and paying of ther Wines of Prisage, that is too say of one Tonne affore the Maste, and another Tonne behynde the Maste, and too be discharged therof agenst your Grace, your Heires and Successours for ever, as well within the Porte of your said Towne of Southampton as in all other Portis, Crekis and Placis of this your Realme in as large, free and ample wyse as the Citisens of your Citie of London and Barons and Fremen of your fyve Portis doo pay for ther Wynes and none otherwyse.

And also Yeldyng and paying for and in discharge of your Grace, your Heires and Successours, from the said Feaste of saynt Michael tharchaungell, all and as many Tonnes and other Porcions of Prisage Wynes as your Highnes or any of your most noble Progenytours have geven and graunted yerly for ever unto the Abbottis and Coventis of Bewlye, Letley, Tuchefuld, Waverley, and too the Priour and Covent of Saynt Denys and too ther Successours, or too any of them, or to any other Monastery, House or Place of Religion too be hadd or taken of your said Prise Wynes comyng or growyng in your said Towne or Porte of the same, that is to say, yerly to every of the same Abbottis and Coventis, Priour and Covent, Monastery, House or Place of Religion, and ther Successours, according to the severall Grauntis to them thereof made.

Provided allways that this Acte shall not in any wyse be prejudiciall to any Person or Persons havyng Lres Patentis for Terme of his or ther Lyffe or Lyffes or during the Kyngis Plesure, or any other Estate or Interest of or in the said Offices of Gawgeyng, Poysyng and Weyng or any of them, but that the same Persons and every of theym shall and may enyoie the effectis of thos Lres Patentis, this Acte or any thyng therein conteyned too the contrary notwithstanding.

Provyded also this Acte above written nor any thyng therin

conteyned extend not to charge the said Maire, Bailliffes and Burgesis and ther Successours, nor the said Sheriffe or his Successours too pay from thensforthe any larger or more Somme or Sommes of money for the Fee Ferme of your said Towne then only the Somme of £cc yerly too be paid too your Grace, your Heires and Successours, and too suche other Person or Persons as by Lres Patentis be intitled lawfully to any Partes or Porcion therof, as your noble Progenytours or your Grace have sondrily made Grauntis of Partis or Parcellis therof by their or your Lres Patentis or otherwyse.

Provided alway that if any Person or Persons not being discharg'd of paying of Prisage doo shippe in any one Vyage or Vyntage at any tyme hereafter any Wynes to the nombre of X Tonnes or above, in dyvers Shippis or dyvers Bottomes with the Wynes of any of the said Burgeses or of any of ther Successours, too the entent to deceyve the Kyngis Grace of his Prisage, the Kyng nevertheless shall be satisfied and paid of his said Prisage of the Wynes of all and every suche Person and Persons not pryvylaged which soo shall shippe ther Wynes in several Shippis as is afforsaid in lyke manner and forme as if all the same Wynes had been shipped all in one Shippe or upon one Bottome, anythyng in this Acte too the contrary notwithstanding. And that it shall be lefull too the Maister and Marynours of every suche Shippe or Vessell wherin shall hereafter sayle too shippe and lade their portage Wynes and bryng theym into this Realme frely and to ther most Profette without yeldyng therfore any Prisage like as hath byn used by suche Maisters and Marynours in tymes paste.

Cui quidem Peticioni per-	To which Petition being
lecte et ad <u>plenu</u> intellectu	read and fully understood our
per dictum Dnum Regem ex	s ^d L ^a the King with the Assent
Assensu et Auctoritate pre-	and by the Authority aforesaid
dictis taliter est responsum :—	gave the following Answer :—

Soyt fayt come ill est desire.

(Let it be done as is desir'd).

From a copy of the original Roll attested by

HEN. ROOKE, Keeper of the Rolls.

APPENDIX O.

RELEASE OF THE ABBY PRISAGE.

Quarta pars Patent de Anno Regni Regis Jacobi sexto.

James, by the Grace of God, &c. ; To all to whom these Presents shall come, Greeting.¹

Know ye that we for divers good Causes and Considerations us thereunto especially movinge, of our especiall Grace, certayne knowledge and meere mocion, have given and graunted, and by these Presents for us, our Heires and Successors, doe geive and graunte unto our well beloved Subjects, the Maior, Bailiffs and Burgesses of the Towne of Southampton, All and every those the same suche and soe many our Tonnes and other Porcions of Prisage Wynes to be yearely and from tyme to tyme had and taken out of all everie the Prise Wynes comynge or growing in the said Towne of Southampton or in the Porte of the same Towne, which were heretofore graunted or payable, or us'd to be paied or delyvered to any of our Progenitors or Predecessors, Kinges of this our Realme of England, or by any our or their Butlers of England or any other our or their Officers, or by any other Person or Persons, Bodies Politique or Corporate whatsoever for us or them or any of them yearely and everie yeare unto any late Abbotts and Convents of the late severall Monasteries or Abbies of Bewley, Letley, Titchfeild and Waverley, or any of them, or to any late Prior or Convent of the late Priory of St. Denys, and w^{ch} Tonnes and other Porcions of Prisage Wynes were late Parcell of the severall Possessions of the said severall Monasteries, Abbies and Priories, and came or ought to have come unto us or some of our Progenitors or Predecessors by reason of the severall Dissolucions of the same Monasteries, Abbies and Priories, and are now in our hands and possession.

And further of our especiall Grace, certayne knowledge and meere mocion, We have geven and graunted and by these Presents for us, our Heires and Successors, We doe geive and

¹ For the circumstances under which this grant was made, see Chap. XI.—Of the exemption from Prisage. By it James I gave up to the mayor the right of receiving the prisage wines, which had been paid to his progenitors, also those which, once the property of the abbots of Beaulien, Netley, Titchfeild, Waverley and St. Denys, had come to the kings at the time of the dissolution of the monasteries. Also the mayor was to hold these rights in as ample a manner as the kings or the aforesaid abbots had held them.

graunte unto the said Mayor, Bailiffs and Burgesses and their Successors, all our Righte, Title, Clayme, Interest and Demande of, in and to the Premisses before by these Presents graunted or mencion'd to be graunted, and of, in, and to everie parte and parcell thereof. To have and to hold all and every the said Tonnes and other Porcions of Prisage Wynes and other the Premisses before in and by these Presents graunted or mencion'd to be graunted unto the said Mayor, Bailiffs and Burgesses of the said Towne of Southampton and to their Successors for ever. To have, take and perceave the said Prysage Wynes yearely and everie yeare out of all and everie Pryse Wynes cominge or goinge in the said Towne and Porte of Southampton, or any of them in as ample manner and forme as we or any of our Progenitors or Predecessors, Kinges or Queenes of this Realme, or any Abbott or Prior of any the said Monasteries, Abbies or Priories of Bewley, Letley, Tychefeld, Waverley and St. Denys, or any of them ever had, received, perceived, or enjoy'd the same.

To be houlden of us, our Heires and Successors, as of our Mannor of Estgrene, wich in free and common Socage¹ for all Rentes, Services, Exaccions, and Demandes whatsoever, therefore or for any parte or parcell thereof to us, our Heires or Successors, to be rendered, payed or made for the same.

And further of our more abundant Grace, certayne knowledge and meere mocion, We have pardoned, remysed and released, and by these Presents for us, our Heires and Successors, We doe pardon, release and discharge unto the said Maior, Bailiffs and Burgesses, and theire Successors all Arrerages of the said Prise Wynes and all Somes of money, Duties and Demandes due, payable or answerable to us, of or for any Prise Wynes or Prisage Wynes from the fourth day of February, in the seaven and twentieth yeare of the Raigne of our most noble Progenitor King Henry the eighte, late King of England, untill the Date of these Presents, incurred, due, behind and unpaid, although express mencion, &c. In Witness thereof, &c.

Witness ourselfe at Westm^r, the sixth day of February.

Per Breve de privato Sigillo, &c. A^o Regno, 6^o.

¹ Socage—a tenure of lands by or for certain services other than military service. All lands in England which were not held in knight's service were held in socage.

APPENDIX P.

THE ACT OF PARLIAMENT CONCERNING FOREIGN¹ BO^T AND
FOREIGN SOLD.

Rotulus Parl^{ti} 18^o die Novemb^s tent. A^o Regn. Reg. Jacobi 4^o.

In Parlamento inchoato et tento per Prorogacionem apud Westm^r decimo octavo die Novembris anno Regni serenissimi atque excellentissimi Domini nostri Jacobi Dei gracia Anglie Scotie Francie et Hibnie Regis fidei Defensoris, &c. (vidēlt Anglie Francie et Hibnie quarto et Scotie quadragesimo) atque ibidem continuato usque ad et in quartam diem Julii tunc proxime sequentis et tunc prorogato usque ad et in sextum decimum diem Novembris proxime sequentis communi omnium Dominorum tam spiritualium quam temporalium et Communitatis consensu et Regie Majestatis tunc presentes assensu inter alia sancita, inactitata ordinata et stabilita fuerunt sequentia hec Statuta ad verbum ut sequitur. Exhibita est Regie Majestati in Parlamento predicto Billa quedam formam Actus in se continens.

In the Parliament began and held by Prorogation at Westm^r on the 18th day of Nov^r, in the year of the Reign of our most serene and most excellent Lord, James, by the grace of God of England, Scotland, France and Ireland, King, Defender of the faith, &c. (that is of England, France and Ireland 4^o and of Scotland 40^o), and there continued to the 4th day of July then next ensuing, and then prorogued to the sixteenth day of Nov^r next following, the following Statutes were by the common consent of all the Lords spiritual and temporal and of the Commons and with the assent of the King's Majesty then present, the following Statutes among others were decreed, enacted, ordain'd and establish'd verbatim as follows:—

A Bill was presented to the K's Majesty in the afores^d Parliament containing the form of an Act.

¹ The word "foreign" here is applied to persons who were not necessarily of a different nationality, but who did not live within the liberties of the town. Many of the Guild Ordinances show that such persons were only allowed to frequent the markets on sufferance, *e.g.*, Law 23 forbids a stranger to buy merchandise if a townsman is present and desirous of purchasing the same goods. The Statute of Incorporation, 23 Henry VI, had forbidden any merchant who was "a stranger to the freedom of the town to sell any merchandise to any such stranger on pain of forfeiting the merchandise so bought or sold to the use and profit of the burgesses." As this petition complains, this law had been infringed to the great loss of the Southampton merchants; it was therefore confirmed by James I, exception to strangers' trading being made at fair times. An exception was also made in favour of the barons of the Cinque Ports.

In all humbleness beseech your most excellent Majesty, the Mayor, Bailiffes and Burgesses of your Highnes Towne of Southampton, That whereas your noble Progenitor, King Henrye the sixt of famous Memory, in consideracion that the said Towne of Suthampton is situated on the Sea Coast and subject to the suddaine Assault and Surprise of forreine Enymies, and that the Inhabitants thereof for their Defence have a long tyme at their Cost and charge upheld and mayntened the Walls thereof with many Towers, Turretts, Bullwarks, great Ordinances, and other defensive Artilerie, and for other Consideracions, did grante to the Maior, Bailiffes and Burgesses of the said Towne and their Successors a Charter, which hath beene since confirmed by many other Princes, restrayninge all Marchants not being free of the Libties of the said Towne to buy or to sell any manner of Merchandise within the said Towne or the Libties thereof uppon Payne of forfeitinge the same Merchandise to the said Maior, Bailiffes, Burgesses and their Successors.

And whereas now of late sundry Merchants which are not free of the Libties of the said Towne and yet free of other Corporacions, who, respecting only their private Gayne without regard either of the said Charter or how the said Towne shall be upheld and maynteyned, have of late intruded on the Libties thereof, and doe both by themselves and alsoe by their Factors keepe shoppes and Warehouses within the said Towne and doe sell their Merchandise both in grosse and bye Retaile contrarye to the true Meaning of the said Graunte and contrarye to all reason and conscience, tending to the utter undoinge of the Merchants and Inhabitants of the said Towne and Decaye of the said Towne, for Redresse whereof

MAY it please your most excellent Majesty that it may be enacted by your Majestie, the Lords spirituall and temporall and the Commons in this present Parliament assembled, and by the Authoritie of the same. AND be it enacted and ordeyned by the Authoritie aforesaid that soe much of the said Charter as doth concerne the Premisses shall from henceforth stand and be good, effectuall and sufficient in the Lawe to all intents and Purposes accordinge to the true Meaninge of the said Charter, and that the same be ratified and confirmed by this present Parliament.

AND further, be it enacted by the Authoritie aforesaid that no Person or Persons not beinge free of the said Towne shall buy any Merchandize within the said Towne or Libties thereof

(Salt and Sea fishe only excepted) of any other not beinge free of the said Towne, nor sell any Merchandize (Salt and Sea fishe only excepted) within the said Towne or Libties thereof to any Person or Persons not beinge free of the said Towne upon pain of forfeitinge of all such Merchandize so bought or sold to the Maior, Bailiffes and Burgesses of the said Towne and their Successors.

Provided alwaies that any Person or Persons may buy within the said Towne or Libties thereof of any Person for his or their owne House or Houses soe as the same be expended there, and not in any sorte sold againe as if this Act had never bene made.

PROVIDED also that it shall be lawfull to any Person or Persons to buy or sell in the time of Faieres there or aborde any Ship within the Porte of Southampton of or to any Person whatsoever as if this Act had never beene made.

PROVIDED alwaies, and be it enacted by the Authoritie aforesaid, that this Act or any thinge therein conteyned shall not extend nor be construed to extend to the Barons or Freemen of the Cinque Portes or of the Members to them belonginge nor to any of them, but that they and everie of them shall and may at all tymes hereafter freelye and lawfullye have, hold and enjoy all such Liberties, Freedoms, Priviledges, Immunities and Franchises within the said Towne of Southampton and the Libties thereof as have been heretofore graunted unto the said Portes or any of them or any of the said Members or to the Barons or Freemen there or have been by them or any of them accustomed, us'd or enjoyed anythinge in this Act to the contrarye notwithstanding.

Cui quidem Bille perlecte
et ad plenam intellectu per
dictum Dominum Regem ex
Autoritate Parlamente pre-
dicti sic responsum.

To w^{ch} Bill being read and
fully understood, our said Lord
the Kinge by the Authority
of the Parliam^t aforesaid
answered thus.

Le Roy le veuet.
(The Kinge consents.)

From a Copy of the Record.

Attested by Hen. Rooke, Keeper of the Records.

APPENDIX Q.

SWEET WINE GRANTS.¹

Decima pars Patent. de annis Regis Philippi et Regine Marie 1^o, et 2^o.

First Grant concerning them.

Rex et Regina, &c.; omnibus ad quos, &c.; Salutem. Cum Villa et Portus nr Southton Comitatu nro Ville Southton temporibuspercharissimi Patris nostri et Progenitorum nostrorum celebris et opulent existit tam importatione nercium in dictum Portum quam exportacione ex eodem maxime quod Naves et Vasa quecunque Vinis malnaticis Anglice vocat Malmseis onust. a partibus transmarinis venient ad dictum Portum se appellere solebant ac apud Villam prædictam onus suum deponere, tum etiam quod Naves et Vasa quecunque que lanas portabant extra hoc Regnum nostrum versus Levent in partibus transmarinis sitam apud Villam et Portum predict. onus suum recipere consuevere que quidem Consuetudo paucis jam retro annis a malis quibusdam dirupta existit. Nos bono statui dicte Ville consulere volentes eumque meliorare et ditare cupientes DEDIMUS et

The Kinge and Queene, &c., to all to whom, &c., Greeting. Whereas our Towne and Porte of Southton in the tyme of our dear Father and our Progenitors was a famous and wealthy Towne, both by importacion of Goods into the said Porte and exportacion from the same, cheifly because all Ships or Vessels laden with malnatic Wynes,² in English called Malmseis, coming from the parts beyond Sea were us'd to come to the said Port and to unship their lading at the said Towne, and because all Shipps carrying Wooll out of this our Realme towards the Levant, w^{ch} is situated in parts beyond Sea, were us'd to take in their lading at the said Towne and Porte, which Custom for some few years back has by some evil minded Persons been laid aside. We, consulting the good State of the said Towne, and beinge desirous to improve and enrich it, HAVE GIVEN and granted and by these Presents

¹ This is the grant referred to in Chap. XIII.

² Malnatic or Malmesey wines, called by the French Malvoisie, were made from grapes grown in Malvasia, in the Morea.

concessimus ac per Presentes pro nobis Heredibus et Successoribus nostris damus et concedimus Majori Ballivis et Burgensibus dicte Ville nostre Southton et Successoribus suis quod omnia Vina Malnatica Anglice vocata Malmseis que a Festo Sti Michaelis Archi proxime sequente apartibus transmarinis in hoc Regnum Anglie transpertata fuerint in nulla parte dicti Regni nri Anglie ad terram deponentur nisi apud Villam et Portum predict. Prohibentes cuique Mercatori indigene sive alienigene per Presentes ne dicta Vina in alio Portu sive Loco hujus Regni nri Anglie deponat quam in Villa et Portu predict. sub pena solvendi nobis Hered^s et Successor^s nris triplicem Custumam pro eisdem Vinis. PROVISIO semper quod si qua Navis vel Vasa dictis Vinis onusta Naufragium fecerit, Gubernator Navis vel Vasis illius quocunque loco voluerit deponere possit aliquo premissorum non obstante Dedimus etiam et concessimus pro nobis Heredibus et Successoribus nostris dictis Majori Ballivis et Burgensibus et Successoribus suis quod a dicto Festo Sti Michis omnes Lane que portabuntur extra hoc Regnum versus partes de Levent predict. prius ad Villam et Portum de Southton predict. portabuntur quam Mari trajic-

for us, our Heires and Successors, we doe give and grant to the Maior, Bailiffs and Burgesses of our said Town of Southton and their Successors, that all Malnatic Wines, call'd in English Malmseis, w^{ch} from the Feast of S^t Michael the Archangel next ensuing shall be brought into this our Realme of England from parts beyond Sea, shall be landed in no other Port of our said Realme of England, but only at the Towne and Porte aforesaid. And We prohibit by these Presents all Merch^{ts}, whether Natives or Foreigners, from landing the said Wines in any other Porte or place of this our Realme of England than in the Towne and Porte aforesaid, on pain of paying to us, our Heires and Successors, treble Custeime for the s^d Wines.

PROVIDED alwaies that if any Ship or Vessel laden with the s^d Wines shall be wreck'd, the Master of such Ship or Vessel may unload wherever he will, anything to the contrary in the Premises notwithstanding. We have also given and granted for us, our Heires and Successors, to the s^d Maior, Bailiffs and Burg^s and their Successors, that from the said Feast of S^t Mich^l all the Wooll that be carried out of this Realme towards the foresaid parts of the Levant shall

ientur neque in alio Portu sive loco infra hoc Regnum nostrum Anglie imponantur Navi sive Vasi versus predictas partes de Levent transportande quam in dicto Portu nostro Southton, aliquo vel aliquibus Clausulis aut verbis in quibuscunque Lris patentibus nostris de Licenciis in contrarium post hac exprimendis non obstantibus sub pena solvendi nobis Heredibus et Successoribus nostris triplicem Custumam pro eisdem Lanis.

Habendu et tenendum omnia et singula premissa eisdem Majori, Ballivis et Burgensibus ac Successoribus suis in perpetuum de Dono et Elargicione nostra absque Compoto seu aliquo alio proinde nobis Heredibus vel Successoribus nostris reddendo vel faciendo. Eo quod express. mentio, &c.

In cujus rei, &c. T. R. et R. apud Windsore Castell, ix die Augusti.

be carried to the s^d Towne and Porte of Southton before they shall be exported, and shall not be put on board any Ship or Vesell to be carried towards the said parts of the Levant in any other port or Place in our Realme of England than our s^d Port of Southton, anything or any Clauses or words in any our Letters Patents for Licence to the contrary to be hereafter express'd notwithstanding, on pain of paying to us, our Heires and Successors treble Custume for the same Wooll.

To have and to hold all and singular the Premisses to the said Maior, Bailiffs and Burghesses and their Successors for ever, of our Gift and Benevolence, without rendering or making any Accompte or any other thing therefore to us, our Heires or Successors. Though express mention, &c.

In Witness whereof, &c. Witness the K. and Q. at Windsore Castell, ix of Aug^t.

Per Breve de Privato Sigillo, &c.

From a Copy of the Roll attested by

HEN. ROOKE, Keeper of the Records.

APPENDIX R.

SECOND SWEET WINE GRANT.¹

Quinta pars Patent de Annis Regnorum Regis et Reginae
Phillippi et Marie.

Quarto et Quinto.

Licent. ad ex
on Sand. Vina
Malnatio voc.
Malneses apd.
Portum Ville
Sutht.

Rex et regina,
&c. Omnibus ad
quos, &c. Saltm.
Cum per Litteras
nostras Patentes
sub magno Sigillo nostro
Angliæ gerentes datam apud
Castrum nostrum de Winde-
sore nono die Augusti annis
Regnorum nostrorum primo
et secundo pro certis causis et
Consideracionibus in predictis
Litteris Patentibus contentis
et specificatis, DEDIMUS et con-
cessimus pro nobis Heredibus
et Successoribus nostris, dilectis
nobis Majori, Ballivis et Bur-
gensibus Ville nostro Sutht in
Comitatu nostro Ville Sutht
et Successoribus suis quod
omnia Vina Malnatica, anglice
vocata Malnesies que a Festo
S^{ti} Michaelis proxime sequente
datam dictarum Litterarum
nostrarum Patentium, a part-
ibus transmariis in hoc Reg-
num nostrum Anglie trans-
portata fuerunt in nulla parte

Licence for
releasing Mal-
natic Wines,
call'd Malm-
seys in the
Port of the
Town of
Southton.

The King and
Queen, &c. Greet-
ing. Whereas by
our Letters Patent
under our great
Seal of Engl^d bear-
ing date at our
Castle of Windesore, the ninth
day of Aug^t, in the first and
second years of our Reigns, for
certain Causes and Consider-
acions in the s^d Letters Patents
contain'd and express'd, we
have GIVEN and granted for
us, our Heirs and Success^{rs} to
our well beloved the Mayor,
Bailiffs and Burgesses of our
Town of Suthton, in our
County of the Town of Suthton
and their Successors, that all
Malnatic Wines, call'd in
English Malmseis, w^{ch} from
the Feast of S^t Michael next
after the date of our s^d Letters
Patents shou'd be transported
from parts beyond Sea into
this our Realm of England
shou'd not be landed in any

¹ The first part of Appendix R is simply an amplification of this grant, and was made in 1557. Then follows a petition, which prays for a confirmation of Queen Mary's grants, on the same old grounds of the expense of defending the town, and which complains of evasions of the law. This was granted and became law, but was limited to strangers, so it was followed by another grant, given in 1571, which ordained that every provision made in the Act of 1563 should continue in full force for ever, "for the better relief of the town."

dicti Regni nri Anglie ad terram deponerentur nisi apud Villam et Portam nostram Sutht predictam prohibentes cuique Mercatori, indigene sive alienigene per predictas Litteras nostras Patentes ne dicta Vina in alio Portu sive Loco hujus Regni nostri Anglie deponat quam in Villa et Portu predictis subpena Solvendi nobis Heredibus et Successoribus nostris triplicem Custumam pro eisdem Vinis, cum quadam Clausula sive Proviso indictis Litteris nostris Patentibus contenta et specificata quod si que naves vel vasa dictis Vinis onusta naufragium fecerit, Gubernator navis vel vasis quocunque voluerit deponere potuit, aliquo in predictis Litteris nostris Patentibus non obstante. Et ulterius, cum per predictas Litteras Patentes pro nobis Heredibus et Successoribus nostris dedimus et concessimus dictis Majori, Ballivis et Burgensibus et Successoribus suis quod a dicto Festo S^{ti} Michaelis omnes Lane que portarentur extra hoc Regnum versus partes de Levent prius ad Villam et Portum de Sutht predictam portarentur quam mare tragicientur, neque in alio Portu sive loco infra hoc Regnum nrum Anglie imponerentur navi sive vasi versus predictas partes de Levent transportande quam in dicto Portu nostro Sutht ali-

part of our s^d Realm of England, except at our Town and Port of Suthampton, forbidding by our said Letters Patents all Merchants, whether Natives or Foreigners, landing any such Wines in any other Port or Place in this our Realm of England save only at the Town and Port aforesaid, on pain of paying to us, our Heirs and Successors, treble Duty for the s^d Wines, with a certain Clause or Proviso in our s^d Letters Patents contain'd and express'd, that if any Ship or Vessell laden with the s^d Wines shall be wreck'd, the Master of such Ship or Vessell may land them wherever he will, anything in those our Letters Patents notwithstanding. And farther, Whereas by the s^d Letters Patents we, for us, our Heirs and Successors, have given and granted to the s^d Mayor, Bailiffs and Burgesses and their Successors, that from the said Feast of S^t Michael all the Wooll that shou'd be carried out of this Realm towards the parts of the Levant shall be carried to the s^d Town and Port of Southampton before they shou'd be transported over Sea, and shou'd not be put on board any Ship or Vessell to be transported towards the s^d parts of the Levant in any other Port or place than in our s^d Port of Southampton, anything or any

quo, sive aliquibus Clausulis aut verbis in quibuscunque Litteris Patentibus nostris de Licentiis in contrarium post Datam dictarum Litterarum Patentium exprimendis non obstantibus, sub pena solvendi nobis Heredibus et Successoribus nostris triplicem Custumam pro eisdem Lanis, pro ut per easdem Litt^s Patent. inter alia in eisdem Litt^s Patent. contenta plenius liquet et apparet. Nos considerantes quod dicta Villa et Portus nostra Sutht in predicto Comitatu nostro Ville Sutht temporibus percharissimi Patris nostri et Progenitorum nostrorum prefate Regine celebris et opulenta existit, tam Importacione Mercium in dictum Portum quam Exportacione ab eodem, maxime quod naves et vasa quecunque Vinis Malnaticis onuste a partibus transmarinis venientes ad dict. Portum se applicare solebant ac apud Villam predictam onus suum deponere et non alibi, que quidem consuetudo paucis jam retro annis a malis quibusdam dirupta extitit.

Ac etiam in consideracione perpetue Memorie quod nos prefatus Rex in primo Adventu nostro infra hoc Regnum Anglie applicavimus ad predictam Villam Sutht pro Auxilio et Relevamine ejusdem Ville ac omnium Inhabitantium in eadem.

Clauses or Words that shou'd be express'd in any Letters Patents of ours for Licence to the contrary, after the Date of the Letters Patents aforesaid notwithstanding, On Pain of paying to us, our Heirs and Successors, treble Duty for all such Wooll as by the s^d Letters Patents, among other things contain'd the s^d Letters Patents is more fully shew'd and appears We, considering that our s^d Town and Port of Suthampton in our s^d County of the Town of Suthampton, in the times of our dear Father and of the Progenitors of us, the foresaid Queen, was famous and wealthy both by the Importation of Merchandize into the s^d Port and by Exportation from it, cheifly for that all Ships and Vessels coming from foreign parts laden with Malmsey Wines were us'd to come to that Port, and to unload their Cargo at the s^d Town and not elsewhere, w^{ch} Custom has for some few years past been discontinued by certain evil-minded Persons.

AND allso in consideration of the perpetual remembrance of our the s^d King's landing at the s^d Town of Suthampton on our first arrival in this Realm of England, For the Aid and Relief of the s^d Town and all its Inhabitants.

Nos vero predicti Rex et Regina bono Statui dicte Ville et Portus consulere volentes cumque ex ampliori favore nostro meliorare et ditare cupientes De Gratia nra speciali ac ex certa scientia et mero motu nostris Dedimus et concessimus ac per Presentes pro nobis Heredibus et Successoribus nostrum prefate Regine damus et concedimus Majori, Ballivis et Burgensibus dicte Ville nostre Sutht et Successoribus suis quod omnia Vina Malnatica que ad aliquod tempus a Festo Pasche ultimo preterito fuerunt sive a confectione harum Litterarum nostrarum Patentium erunt sive forent a partibus transmarinis in hoc Regnum Anglie transportata in nulla parte dicti Regni nostri Anglie ad terram deponentur nisi apud predictam Villam et Portum Sutht. Prohibentes pro nobis Heredibus et Successoribus nostrum dicte Regine cuique Mercatori indigene sive alienigene ne dicta Vina in alio Portu sive loco hujus Regni nri Anglie deponat quam in predicta Villa et Portu de Sutht sub pena forisfaciendi et solvendi nobis, Heredibus et Successoribus nostrum prefate Regine pro quolibet Butto de Vinis predictis viginti solidos Monete Anglie ultra et preter Subsidium et Custumam pro eisdem Vinis ante hac

WE, the s^d King and Queen, being willing to consult the good State of the s^d Town and Port, and being desirous to improve and enrich the same, of our special Grace, certain knowledge and meer motion have given and granted and by these Presents for us and for the Heirs and Successors of us, the s^d Queen, we do give and grant to the Mayor, Bailiffs and Burgesses of our s^d Town of Suthampton and their Successors that whatever Malmsey Wines have been at any time since the Feast of Easter last past, or after the making of these Letters patents shall or may be bro^t from foreign parts into this Realm of England, shall be landed in no other part of our s^d Realm of England but only at the s^d Town and Port of Suthampton.

And we, for us, and the Heirs and Successors of us, the s^d Queen, do prohibit all Merch^{ts}, natives or foreigners, from landing the said Wines in any other Port or place of this our Realm of England except in the Town and Port of Southampton, on pain of forfeiting and paying to us and the Heirs and Successors of us, the s^d Queen, for every Butt of the s^d Wines twenty shillings of English Money over, above and besides the Subsidy and Custom formerly had, due,

habitam debitam et consuetam, Medietatem cujusquidem forisfacture et solucionis Nos de uberiori Gratea nostra ac ex certa scientia et mero motu nostris pro nobis Heredibus et Successoribus nrum prefate Regine damus et concedimus dictis Majori, Ballivis et Burgensibus et successoribus suis in perpetuum de tempore in tempus cum acciderit. Proviso semper quod si que navis vel vasa dictis Vinis onusta sine fraude et dolo naufragium fecerit, Gubernator navis vel vase illius quocunque loco voluerit deponere possit aliquo in presentibus Litteris nostris Patentibus in contrarium inde non obstante.

Et ut nos tam de forisfactura et solucione predictis quam de Custumis premissorum quibuscunque melius securiusque responderi de tempore in tempus possimus juxta harum Litterarum nostrarium Patentium tenorem. Nos de uberiori Gratia nostra volumus ac pro nobis Heredibus et Successoribus nostrum prefate Regine concedimus prefatis Majori, Ballivis et Burgensibus et Successoribus suis quod bene licebit eis et Successoribus et Assignatis suis vel eorum Deputato sive Deputatis de tempore in tempus omnia et omni moda Vina que per aliquam navem vel vasam sive aliquas naves vel vasas sive in

and us'd to be paid for the s^d Wines, half w^{ch} forfeiture or payment, we of our more abundant Grace and of our certain knowledge and meer motion for us and the Heirs and Successors of us, the s^d Queen, do give and grant to the s^d Mayor, Bailiffs and Burgesses and their Successors for ever from time to time when it shall happen. Provided allways that if any Ship or Vessel laden with the s^d Wines shall without any fraud or cheat be wreck'd, the Master of such Ship or Vessel may land his Cargo wherever he will, anything in these present Letters Patents to the contrary thereof notwithstanding.

And that both the s^d forfeiture and payment and the Duties of the Premises may be the better and the more securely answer'd to us from time to time according to the tenor of these our Letters Patents, WE, of our more abundant Grace, will, and for us, and for the Heirs and Successors of us, the s^d Queen, we grant to the s^d Mayor, Bailiffs and Burgesses, and their Successors, that it shall be lawfull for them and their Successors and their Assigns, or their Deputy or Deputies from time to time, all and all sorts of Wines w^{ch} shall for the future be brought by any Ship or Vessel, Ships or Vessels, or in

aliqua nave vel vasa vel aliquibus navibus vel vasis in posterum ab aliqua parte Insule de Candie in partibus de Levent et de Cressentia ejusdem Insule ad Portum nostrum London sive ad aliquos alios Portus nostros infra hoc Regnum nostru Anglie transportabuntur ad terram deponenda et vendicioni exponenda modis quibuscunque gustare et assaiare tam infra hujus modi naves vel vasas sic onustas quam super terram cum extra dictas naves vel vasas deponantur, ea Intencione ut vera noticia generum omnium et singulorum vinorum sic in hujus modi navibus et vasis onustorum habeatur pro vera solucione Custume et Penalitatis eorundem. Habendum, tenendum et gaudendum Libertates predictas ac omnia et singula cetera premissa predictis Majori, Ballivis et Burgensibus et Successoribus suis in perpetuum, de Dono et Elargitione nostris absque Compoto seu aliquo alio proinde nobis Heredibus vel Successoribus nostrum prefate Regine reddendo solvendo, vel faciendo.

Et ulterius, de ulteriori Gratia nostra volumus et pro nobis Heredibus et Successoribus nostrum prefate Regine concedimus prefatis Majori, Ballivis et Burgensibus et Successoribus suis quod omnes

any Ship or Vessel, Ships or Vessels, from any port of the Island of Candie in the parts of the Levant, w^{ch} are of the growth of that Island, to our Port of London or to any of our Ports in this our Realm of England in order to be landed and expos'd to Sale to taste and assay in what manner they will either on board such Ships or Vessels so laden, or on Land when the Wines shall be unship'd to the intent that a true knowledge may be had of the kinds of all and singular wines so laden in such Ships or Vessels for the true payment of the Custom and Penalty of the same. To have and to hold and enjoy the Liberties aforesaid and all singular the other premisses to the s^d Mayor, Bailiffs and Burgesses and their Successors for ever, as of our Gift and Bounty, without any Accompt or other thing thereof to be render'd or paid or made to us, our Heirs or the Successors of us, the s^d Queen.

AND moreover, of our farther Grace, we will, and for us, our Heirs and the Successors of us, the s^d Queen, we grant to the said Mayor, Bailiffs and Burgesses and their Successors that all and each of our Customers, Collectors, Comptrolers and all other Officers and Servants whatever of us and of the Heirs and Successors of us,

et singuli Custumarii Collectores, Contrarotulatores ac alii Officiarii et Ministri nostrum Heredum et Successorum nostrum prefate Regine quicunque tam infra Portum nostrum London quam infra omnes et singulos alios portus nostros infra hoc Regnum nostrum Anglie ubi forisfactura sive forisfacturæ fore contigerit sive contigerint solvat seu solvi faciat ac solvent seu solvi facient, ac eisdem Custumariis et aliis Officiariis et Ministris nris Heredum et Successorum nostrum prefate Regine quibuscunque firmiter injungendo precipimus quod ipsi solvant seu solvi faciant dictis Majori, Ballivis et Burgensibus et eorum Successoribus et Assignatis suis Medietates omnium et singularum hujusmodi forisfacturarum de tempore in tempus cum acciderint pro predictis vinis sic forisfaciendarum. Volentes etiam et per Presentes firmiter injungendo precipientes tam Thesaurario nostro Anglie et Baronibus Scaccarii nostri quam omnibus Custumariis, Collectoribus, Receptoribus, Contrarotulatoribus et aliis Officiariis et Ministris nostris ac Heredum et Successorum nostrum prefate Regine quibuscunque pro tempore existentibus quod ipsi et eorum quilibet super solam demonstrationem harum Litterarum nostrarum Patentium vel super Inrotulamentum earundem

the s^d Queen, as well in our Port of London as in all and singular our other Ports in this our Realm of England where any such forfeiture or forfeitures shall happen, shall pay or cause to be paid, and we with a strict charge command the same Customers and other Officers and Servants whatever of us and of the Heirs and Successors of us, the s^d Queen, to pay or cause to be paid to the said Mayor, Bailiffs and Burgesses, and to their Successors and their Assigns, half of all and singular the Forfeitures that shall be so incurr'd for the s^d Wines from time to time as they shall happen. We will also and by these Presents with a strict charge we command both our Treasurer of England and the Barons of our Exchequer and all Customers, Collectors and Receivers, Comptrollers and other Officers and Servants whatever of us and of the Heirs and Successors of us, the s^d Queen, for the time being, that they and every one of them, upon sight of these our Letters Patents or the Inrollment of them without, without applying or suing to us or the Heirs and Successors of us, the said Queen, in any shape for any other Writ or Warrant in that behalf upon payment of half the s^d forfeitures that may or shall be due for the said Wines to the said Mayor,

absque aliquo alio Brevi seu Warranto a nobis Heredibus vel Successoribus nostrum prefate Regine proinde quo quomodo impetrando seu proseguendo super solucionem Medietatis dictarum forisfactoriarum seu forisfaciendarum ac pro vinis predictis dictis Majori, Ballivis et Burgensibus et eorum Successoribus in forma predicta plenam integram debitamque Allocacionem, Defalcacionem, Deducionem, et Exonerationem manifestam prefatis Custumariis, Receptoribus, Contrarotulatoribus et aliis Officiariis et Ministris nostris Heredum et Successorum nostrum prefate Regine infra Portus nostros predictos facient et de tempore in tempus fieri causabunt, aliqua varietate incertitudine ambiguitate vel omissione premissorum aut aliqua alia re causa vel materia non obstante.

Et hec Lettere nostre Patentes vel Inrotulamentum earundem erunt annuatim et de tempore in tempus dictis Thesaurario Baronib^s Scaccarii nostri Custumariis Receptoribus Contrarotulatoribus Collectoribus Auditoribus et aliis Officiariis et Ministris nostris Heredum et Successorum nostrum prefate Regine quibuscunque et eorum cuilibet pro tempore existenti sufficiens Warrantum et exoneracio in hae parte.

Et quod expressa mentio, &c.

Bailiffs and Burgesses and their Successors in the form aforesaid shall cause to be made full, entire and due Allowance, Defalcation, Deduction and clear Acquittance to the s^d Customers, Receivers, Comptrollers and other Officers and Servants of us and of the Heirs and Successors of us, the s^d Queen, from time to time, any variation, uncertainty, or ambiguity or omission in the Premises or any other thing, cause or matter notwithstanding.

And these our Letters Patents shall be yearly and from time to time to our s^d Treasurer, the Barons of our Exchequer and the Customers, Receivers, Comptrollers, Collectors, Auditors and other Officers and Servants of us and of the Heirs and Successors of us, the s^d Queen, whatever and to every one of them for the time being sufficient Warrant and discharge in this behalf.

And tho' the express mention, &c.

In cujus rei, &c., T. R. et R.
apud Westmon^m xviii die Junii.
Per Breve de Privato Sigillo,
&c.

In witness whereof, &c.,
Witness the King and Queen
at Westm^r xviii day of June.
By Writt of Privy Seal.

From a Copy of the Roll attested by

HEN. ROOKE, Keeper of the Records.

ACT OF PARL^r 5^o ELIZ.

SWEET WINES.

Rotulus Parliamenti de Anno Regni Reginè Elizabethæ
Quinto.

In Parlamento trento apud
Westmonasterium duodecimo
die Januarii Anno Regni seren-
issime atque excellentissime
Regine Dne nostre Elizabethæ
Dei Gratia Anglia Francie et
Hibernie Regine defensoris
fidei, &c., Quinto.

Communi omnium Domin-
orum tam Spiritualium quam
temporalium ac Communitatis
consensu et Regie Majestatis
tunc presentis assensu Sancita
inactata ordinata et stabilita
fuerunt hec LI Statuta subse-
quentia, viz., Exhibita est
Regie Majestati in Parlamento
predicto Peticio quedam for-
mam Actus in se continens.

In the Parliament held at
Westminster on the twelfth
day of January in the fifth
year of our most serene and
most excellent Lady Elizabeth,
by the Grace of God of Eng-
land, France and Ireland,
Queen, Defender of the Faith,
&c.

By the common consent of
all the Lords both Spiritual
and Temporal, and of the
Commons and with the assent
of the Queen's Majesty being
then present, were pass'd,
enacted, ordain'd and con-
firm'd the following 51
Statutes, viz. :—

A Petition was presented to
the Queen's Majesty in the
aforesaid Parliament, having
the form of an Act.

In most humble wise sheweth unto your Most Excellent
Majestie, the Mayor, Baylyefes and Burgesses of your Grace's
Towne and Porte of Sowthampton, that where the sayd Towne
ys an aunycient Boroughe and Towne scytuate upon the sea
syde over agaynst the Coaste of Normandye and unto w^{ch}
Towne all Marchant Strangers of long tyme were accustomed

to make theyr common Accessee and Repayre wth all theyr Shippes and other Vesselles laden wth Malmesies and other swete Wynes of the growth of Candye and Rotimoo or in any other place within the parties of the Levant beyond the Straighes of Marrock, w^{ch} hath been transported or bro^t by them into this Realme, and have dischargd and unladen the say'd Wynes at the say'd Towne and Porte of Sowthampton and at none other place within this Realme, by reason whereof and during all w^{ch} tyme the sayd Mayor, Bailiefes and Burgesses and all thinhabitants of the sayd Towne then being were well hable not onely to pay yerely unto your most noble Progenitors for the tyme being a greate Fee Ferme of the sayd Towne, But also were hable to maintaine, upholde and repaire at their onely Costes and Charges, the Walles, Seabanckes and Diches aboute the same Towne, and to have in a readines for defence against the forreine Ennemies great plenty of Armour, Weapons, Ordinance, Shott, Powder and other Artelarie and things nedefull. And, although the said Marchante Strangers were ever well us'd and intreated at the sayde Towne and Porte of Sowthampton, yet, nevertheles, they of late yeres seeking to land the sayd Wines at divers other places and Creekes within this Realme dyd for the most part depart from the said Porte of Sowthampton, and dayly landed theyr said Wynes at divers other Creekes and places where they might best doo the same without paying the just Custome and Subsidie due for the sayd Wynes. By reason whereof your said Subjectes as well for the redresse thereof as allso for the relief of the said Towne and Porte and thinhabitants of the same dyd make their Complaynt and humble Peticion to your Majestie's most deere Sister, the late Queene Marie, who graciously hearing and considering their humble Peticion and Sute for the redresse of all the Premisses dyd by her most gracious Letters Patentes under the greate Seale of Englande grante unto your sayd Orators by the name of the Mayor, Bailiefes and Burgesses of the sayd Towne of Sowthampton and to theyr Successoures, amongst other things—That all maner of Malmesies and other Sweete Wines growyng in the Islandes of Candye and Rotymo within the parties of Levant beyonde the Sea, or in any other parte of Levante aforesayd whiche from the Feaste of S^t John Baptist nexte following the Date of the sayd Letters Patentes shoulde be transported from the parties beyonde the Sea into this Realme of Englande, shoulde in no parte of the sayde Realme

of Englande bee put to lande but onely at the sayd Porte and Towne of Sowthampton. And further, the sayd late Quene Marie, by her sayd Letters Patentes, did prohibite every Marchant, Denyzen and Straunger that they nor any of them shoulde dischargd the sayd Wynes in any other Porte or place of this Realme then only in the sayd Towne and Porte of Sowthampton upon payne of forfeiture to the sayd late Quene, her Heires and Successoures, for every Butt of the sayd Wynes that shoulde be put on Lande contrarie to the sayd Graunte Twentye shillings of lawfull money of Englande over and above the Subsidye and Custome of the same Wynes before that tyme due and accustomed to be payde. And that th'one Moyetie of the sayd forfeiture should bee unto the sayd late Quene, her Heyres and Successoures, and thother Moyetie thereof unto the sayd Mayor, Bailiefes and Burgesses and their Successours from tyme to tyme whensoever the same shoulde happen, as by the same Letters Patentes more playnely yt dothe and maye appeare. And forasmuche as some ambiguities, Dowtes and Questions have growen upon the sayd Grante and whether the same bee good in Lawe to chardge the sayd Strangers with such Penalties as bee therein conteyned or not, therefore the sayd Grante made by the said late Quene to the sayd Mayor, Bayliefes and Burgesses hathe not hitherto taken suche Effecte as by the same was well ment and intended. And therefore the sayd Strangers that doo daily bring the same Wynes into this Realme verie contemptuouslye and agaenst the Purporte and Effecte of the sayd Grante, doo lande theyr sayd Wynes at divers Roades and Creekes within this Realme where they think good themselves, and for the most parte where they maye best deceyve your Highness of the Custome and Subsidie due to be payde for the same, By reason whereof your Majestie doth not onely sustayne greate Losse and Hynderance, but also your sayd Towne and Porte of Sowthampton is thereby like to fall in greate ruyne and Decaye. Therefore maye yt please your Highness wth thassent and consent of the Lordes Spirituall and Temporall, and the Commons in this presente Parliament assembled and by Auctoritie of the same, That it may bee enacted that all Wynes called Malmeseyes and other swete Wynes of the growthe of Candye and Rotymo aforesayd in the parties of Levante beyond the Straighes of Marrock, or of any place within the parties of Levante aforesaid, w^{ch} from the first daye of August next coming shall bee brought into this Realme by any Marchante Strangers

whatsoever shall bee landen and dischargd at the sayd Towne and Porte of Sowthampton, and at none other place within this Realme of Englande or Wales, upon payne of forfeiture of Twenty Shillings of lawfull money of Englande for every Butt of the sayd Wynes that shall bee otherwise or at any other place landen within this Realme of Englande or Wales over and above the Subsydye and Customs that bee due to be payde for the same. And that thone Moyetie of the sayd forfeiture may bee unto your Highness, your Heires and Successoures, and thother Moyetie thereof to the said Mayor, Bayleifes and Burgesses, and their Successoures.

And that the same Mayor, Bayliefes and Burgesses maye aske, demaunde, and sue for the same by Actyon of Dett, Byll, Playnte or Informacion in any Courte of Recorde, in w^{ch} Sute no Essoigne, Protection or Wager of Lawe shall be allow'd or admitted for the Partie Defendant.

Provided alwayes and bee yt further enacted by the Auctoritee aforesayd That it shall and maye bee lawfull to and for everye naturall borne Subjecte of this Realme w^{ch} shall transporte or bringe in any Englishe Shippe or Vessell or Botome any of the sayd Wynes called Malmeseys or any other swete Wynes of the growthe of Candye or Rotimo aforesayd, or of any other place within the parties of Levante or from the sayd parties of Levante into this Realme, to land and dischargd the same at any Porte or Haven within this Realme at their Will and Pleasures in suche like maner and fourme as theye shoulde or might have doon yf this Acte had never been hadd or made, anything conteyned in this Acte or in the sayd Letters Patentes to the contrary notwithstanding.

PROVIDED also and bee yt further enacted by the auctoritee aforesayd, That from the making of this Acte yt shall bee lawfull for every Burgesse and Inhabitor of the sayd Towne of Sowthampton, and also for every Englysche Marchante dwellynge in any Citie or Towne within this Realme of Englande to buy any of the sayd swete Wynes at the sayd Towne of Sowthampton, at theyr Willes and Pleasures, and the same to retayle or otherwise to sell againe, any Acte or Statute heretofore made to the contrary in any wise notwithstanding.

This Acte to continue untill thende of the next Parliament.

Cui quidem Peticione ac ad To w^{ch} Petition being read
plenum intellectu per dictam and fully understood, our s^d

Dominam Reginam ex auctoritate Parlamenti predicti sic responsum est.

Lady the Quene by authority of the Parliament aforesaid, gave the following Answer.

Soit faut come il est desire.
(Let it be done as is desired).

From a Copy of the Roll attested by

HEN. ROOKE, Keeper of the Records.

ACT OF PARLIAM^t 13^o ELIZ

SWEET WINES.

Rotulus Parlamenti de Anno Regni Regine Elizabethæ
Decimo tertio.

In Parlamento inchoato et tento apud Westmonasterium secundo die Aprilis Anno Regni serenissime atque excellentissime Domine nre Elizabethæ Dei Gratia Angliæ Fraunciæ et Hiberniæ Regine fidei Defensoris, &c.; Tercio decimo et ibidem continuato usque in Dissolutionem dicti Parlamenti communi omnium Dominorum tam Spiritualium quam Temporalium ac Communitatis consensu et Regie Majestatis tunc presentis assensu sancita inactitata stabilita et ordinata fuerunt hec XLI Statuta subsequencia.

Quorum tenores in hiis sequuntur verbatim. Viz.: Exhibita est Regie Majestati in Parlamento predicto Billa quedam formam Actus in se continens.

Where in the Parliament holden at Westminster the twelfth day of January, in the fyveth yeare of the Raigne of our most gracious Sovereigne Lady Quene Elizabeth, at the humble

In the Parliament begun and held at Westminster on the second day of April, in the thirteenth year of the Reign of our most serene and most excellent Lady Eliz. by the Grace of God of England, Fraunce and Ireland, Quene, Defender of the faith, &c.; and continued till the Dissolution of the sayd Parliament, by the common consent of all the Lords Spirituall and Temporall, and of the Commons, and with the Assent of the Quene's Majesty being then present, the following 41 Statutes were pass'd, enacted, establish'd and ordain'd.

The Tenor of which follows here verbatim.

A Bill was presented to the Quene's Majestie in the Parliament aforesayd having the form of an Acte.

Petition of the Mayor, Baylyffes and Burgesies of the Queene's Majestie's Towne and Porte of Sowthampton, it was then enacted for certayne good Considerations in the same Acte apearng, that al Wynes called Malmesies and other sweete Wynes of the growthe of Candye and Rotymo in the partes of Levant beyond the Streites of Marock, or of any other place within the partes of Levant aforesaid, w^{ch} from the first day of August then next comyng should be bro^t into this Realm by any Merchaunt Strangers whatsoever, should be unladen and discharged in the said Towne and Port of Sowthampton and at none other place within thys Realme of England or Wales, upon the payne forfayture of Twenty shillyngs of lawfull money of England for every Butt of the said Wynes that should be any otherwyse or at any other place landyd within this Realme of England or Wales over and besides the Subsidie and Customes that should be due to be payed for the same. And that thone Moytie of the s^d forfayture should be unto the Queene's Highness, her Heyres and Successors, and thother Moytie thereof to the s^d Mayor, Bailiffes and Burgesies, and to their Successors. And that the said Mayor, Bayliffes and Burgesies might ask, demaund and sue for the same by Action of Dett, Byll, Plainte or Information in any Court of Record, in w^{ch} Suite no Essoigne, Protection or Wager of Lawe shall be alowed or admytted for the Partye Defendaunt. And further it was inacted and provyded by the s^d Acte that it shall and may be lawfull to and for every natural borne Subject of this Realme w^{ch} shall transport or bring in any English Ship, Vessell or Bottom any of the s^d Wynes called Malmesies or any other sweete Wynes of the growth of Candye or of Rotymo aforesaid, or of anye other place within the partes of Levant or from the s^d partes of Levant into this Realme to lande and dyscharge the same at any Porte or Haven within this Realme at theyr Willes and Pleasure in suche lyke manor and fourme as they should or might have done yf this Acte had never been had nor made, anythyng contayned in this Acte or Letters Patentes to the contrary notwithstanding. And further yt ys provided by the sayd Acte that from the makinge thereof it shall be lawfull for every Burges and Inhabitor of the said Towne of Sowthampton, and also for every English Marchaunte dwelling within any Citie or Towne within this Realme of England, to buy anye of the sayd sweete Wynes at the s^d Towne of Sowthampton at theyr Willes and Pleasures and the same to retaile or otherwise to sell agayne, any Acte or

Statute heretofore made to the contrary in any wyse notwithstanding, w^{ch} Acte was made to contynewe to thend of the next Parliament as by the same Acte may appeare. It is now ordayned and enacted by the Queene our Sovereigne Ladye wth thassent of the Lords spyrytual and temporal, and the Commons in this present Parliament assembled, and by the Auctoritie of the same that the s^d Acte and every Artycle, Clause and thinge therein conteyned shall stand, be, remayne, and contynewe in full force and effect to all Intentes, Constructions and Purposes for ever and duely to be put in execution accordyng to the true Intent and Meanyng thereof, for the better Relief and Mayntenance of the sayd Towne and Port of Sowthampton. Provided alwayes and be yt enacted that all forfaytures and Payments comynge to the Towne of Sowthampton at all tymes from henceforth by Virtue of this Acte be ymployed only uppon the Mayntenance of the Walles and Defence of the sayd Towne, wherof a sure Booke to be kept and therein inrolled and ingrossed as well as such Somes of money as come to the same by reason of this Acte from tyme to tyme, as also howe and in what places and to whom it was expended and paide for the Mayntenance of the Walles and Defence of the sayd Towne. And that the Queene's Majestie, her Heires or Successors may at altymes and especially from fyve yeare to fyve yeare send some convenyent and hable man to be named and appoynted from tyme to tyme by Letters under Signet of her Majestie, her Heires or Successors, or by Commission under the greate Seale of England, to be made fourth by the Lord Chancelor or Lord Keper of the greate Seale of England for the tyme being by vertue of this Acte without any further Warrant to be had or obtayned in that behalf to see and vewe the Accomptes of the Receipt thereof, and also howe and in what places the sayd money is expended, and yf at the fyve yeares end anye of that money remayne unexpended or not so expended as before, that then such Person as shall be named or appoynted to take Accompt as is aforesaid shall by his dyscretion take Order for the ymploying of such Some or Somes of money as shall remayne of the forfaytures aforesaid towards the Reparations and uses aforesaid and other necessarie Defence of the sayd Towne. And yf upon the sayd Accompt at anye tyme to be taken it shall appeare that there remayneth of the s^d forfaytures an Overplus or more then shall be needfull to be ymployed for the tyme present in and about the Reparations and Uses aforesaid or other necessarie Defence of the sayd

Towne, the same Remyne or Surplus of the sayd forfaytures shall be preserved and kept to be ymployed in and about the Reparations and Uses afores^d, and for the necessarie Defence of the sayd Towne as shall at any tyme afterwards be nedefull and convenyent. And that such Person w^{ch} shall be assigned for the taking of the sayd Accompt shall from tyme to tyme upon the sayd Accompt take sufficient Bondes to the Queene's Majestie, her Heirs or Successors, for the ymployment of the Remyne and overplus aforesaid, according to the true Intent and Meaning of this Acte. And be it further enacted by thauctoritie aforesayd that the sayd Towne of Sowthampton shall beare and pay from tyme to tyme to such Person and Persons as shall be assigned and appoynted to take the sayd Accompt, all his and theyr convenyent Expences and Charges to be sustayned in and about the sayd Accompt anythinge in this present Acte to the contrary notwithstandinge.

Cui quidem Bille perlecte et ad plenum intellecte per dictam Dominam Reginam ex Auctoritate Parliamenti predicti sic responsum est.

To w^{ch} Bill being read and fully understood our s^d Lady the Queene by the Authority of the Parliament aforesayd gave the following Answer.

La Roygne le veuet.
(The Queene consents).

From a Copy of the Record attested by

HEN. ROOKE, Keeper of the Records.

APPENDIX S.¹

A PATENT CONTAINING AN EXEMPLIFICATION AND CONFIRMATION OF A DECREE IN THE COURT OF EXCHEQUER BY WHICH MALAGA WINES ARE DETERMIN'D TO BE SWEET WINES WITHIN THE GRANT MADE TO THE TOWN OF SOUTHAMPTON.

Carolus Dei Gratia Angliæ Scotiæ Franciæ et Hiberniæ Rex fidei Defensor, &c., Omnibus ad quos presentes Litere pervener: Salutem. Sciatis quod inspeximus quoddam Record. hic et annotat: in Memorand. Scaccarii nostri apud Westm. de anno Regni nostri undecimo, viz., inter Record. de Termino Sc. Rotello. Ex parte Rememoratoris nostri ibid. Cujus quidem Record. tenor sequitur in hæc verba. Ss. Villa Southt. Ss. compertum in quodam Libro Ordinacionum sive Decret. hujus Scaccarii de hoc anno, viz., inter Ordinaciones sive Decreta de hoc Termino Folio ex parte hujus Rememoratoris in hæc verba, Sc Villa Southt. Ss Junæ Decimo quinto die Junii.

Charles, by the Grace of God of England, Scotland, France and Ireland, King, Defender of the faith, &c., to all to whom these Presents shall come, Greeting. Know ye that we have examin'd a certain Record here noted in a Memorandum of our Exchequer at West^{pr} for the eleventh year of our Reign, namely, among the Records for the Term Sc. Roll , on the part of our Remembrancer there, the Tenor of w^{ch} Record follows in these words. Ss. Town of Southt. Ss it is found in a certain Book of the Ordinances and Decrees of this Exchequer for this year, namely, among the Ordinances or Decrees of this Term, folio , on the part of the said Remembrancer in these words, Ss villa Southton, Ss Monday the fifteenth day of June.

Whereas William Noye, Esq^r., his Majestie's late Attorney Generall for, and on behalfe of the King's Majesty, and of the Mayor, Bayliffes and Burgesses of the Towne of Southampton,

¹ Appendix S recapitulates shortly some of the trading privileges granted to Southampton by John, Richard II, Mary, Elizabeth and James I, complains of breaches of these privileges, for which the town could get no redress, and recounts a trial of two offenders, Klpps and Depastree, who, among others, had brought Malaga wines to London, thus evading duty. It was determined that Malaga wines came under the heading of sweet wines, and that every merchant stranger who should land them in any port but that of Southampton should pay the penalties imposed by the statutes of Elizabeth. The date of this Patent is 1636.

did heretofore exhibit an Information or English Bill in this Court ag^t John Kypp and Jonas Depastree and other Merchant Strangers, Defendants, thereby shewing that Southampton is a Frontier and Sea Towne, on the Coasts towards Normandy, and a Porte Towne, at wth Ships of the greatest burden had anciently commodious arriving, safe riding and good landing of Goods, by reason whereof Merchant Strangers of severall Kingdoms, Islands and other places bordering upon the Mediterranean Sea, called the Levant, within or beyond the Streights of Morocco, did anciently resort and trade with Wines, Silkes and other Merchandizes brought thither in great Vessells, and did there disburthen their Ships, and other their Merchandizes, and there bought the staple commodities of this Kingdome, and transported the same ; By reason whereof the sayd Towne was of great Trade, and the Inhabitants enabled to make Bullwarkes, and other Defences about the s^d Towne, and to furnish the same with Munition against Forraine Invasion ; and being an ancient Borough Towne, had anciently payd a Fee Farme Rent to the Crowne ; And that King John, late King of this Realme, by his Letters Patents, in the first yeare of his Raigne did confirme the Liberties thereof, and reduc'd the Fee-farme Rent to two hundred pounds per annum ; and great regard hath been had by Parliaments, and otherwise, to maintaine the Trade of the sayd Towne, especially with those who lay about the Streights of Morocko, and that when it was provided by Acts of Parliament that Callis should be the grant Mart for vent of Wooll, and other Staple Commodities, the Merchant Strangers trading through the Streights of Morocko were excepted ; and that in the second yeare of King Richard the second it was enacted that all Merchants of those parts that would bring Shippes to Southampton might sell their Merchandizes there, and recharge their Shippes and Vessells with Woolles and other Merchandizes for their owne Countries, whereby the Towne was enabled to maintaine their sayd Bullworkes and other Defences, and to pay the sayd Fee-farme Rent untill about the end of the Raigne of King Henry the eight, when (because the making of Cloth in England was found to be more profitable then the transportation of Wooll) the transporting of Wooll was prohibited, and then the Merchant Strangers forsooke their Trade with Southampton, whereby the sayd Towne was disabled to pay the sayd Fee-farme Rent, and to maintaine their sayd Bullworkes and Defences ; And that the late Queene Mary, to regaine the Trade

of Merchant Strangers to the sayd Towne, did by her Letters Patents grant that all Malmeseys and sweete Wines growing in the Islands of Candy and Rotymo, or within any part of the Levant, w^{ch} should be transported into England, either by Denison or Strangers, should be landed onely at the Port of Southampton, upon paine of forfeiture of twenty shillings for every Butt ; one Moity to her Majesty, and the other Moity to the Towne, but the same taking no effect to restore Trade to the sayd Towne ; Thereupon in the fift yeare of the late Queene Elizabeth, the sayd Letters Patents were recited by an Act of Parliament then made, and thereby it was enacted that all such Wines growing in the parts aforesaid w^{ch} should be bro^t into England by any Merchant Strangers, from the first of August then next following, should be landed at Southampton, and not elsewhere, upon paine of forfeiture of twenty shillings for every Butt, besides the Custome, &c. The one Moity thereof to the sayd late Queene, and the other to the Mayor, Bayliffes and Burgesses of the sayd Towne of Southampton.

Which Act, being but temporary, was in the thirteenth yeare of the sayd late Queene made perpetuall, and the forfeitures appointed to be employed for the Maintenance of the Walls and Defence of the sayd Towne ; And that after the sayd Acts of Parliament, Merchant Strangers renewed their resort to Southampton with Malmeseys and other sweet Wines out of all Countries lying or adjoining to the Levant Seas, within and beyond the Streights of Morocko ; and by the Trade and forfeitures, the sayd Towne of Southampton was restored to some abilities to support their charge, and to pay their Rent, and the Moity of the sayd forfeitures were answered to the Crowne ; And that shortly after the sayd Act made in the thirteenth yeare of the sayd late Queene Elizabeth, the sayd Towne (for a great Fyne) leased the forfeitures to Robert, late Earl of Leir (Leicester) for one and twenty yeares, at the Rent of two hundred Markes ; and afterwards to Robert, late Earl of Essex, at the like Rent, w^{ch} Leases were enjoy'd and the Rent duely payd and as much or more came yearly to the Crowne ; And that after the sayd Leases were expired, a greater benefit was made thereof, untill the fifteenth yeare of the Raigne of our late Sovereigne Lord King James ; at w^{ch} time the Company of the Turkey Merchants, suggesting that they had had the importing of sweete Wines out of Candy, and other parts of the Levant, for thirty yeares, by Letters Patents, did (without the privy

of the sayd Mayor, Bayliffes and Burgesses of Southampton) procure a Proclamation to prohibit all Merchant Strangers from bringing in sweete Wines of the growth of Candy, and other parts of the Levant Seas thereabouts, within the compasse of their Trade in any other Vessells then English Bottomes; whereby his Majesty lost the forfeitures and the sayd Towne their Trade with Merchant Strangers and the greatest part of the benefit w^{ch} they formerly receiv'd by duties and forfeitures. And that thereupon the Mayor and Burgesses of Southampton petitioned the sayd late King James, who referred it to the Lords of the Councell, who, upon reasons of State, suspended the consideration thereof, and in the end thought fit the Turkey Merchants should give some recompence to the sayd Towne; but that not being done, and the Merchant Strangers having brought in severall sweete Wines notwithstanding the opposition of the Turkey Merchants, as well of the Islands Candy and Rotymo as other sweet Wines of the growth of Mallaga, unto London, and denyed to pay the forfeitures; And being sued by the Mayor, Bayliffes and Burgesses at the Common Law, did (upon some reasons of State) procure Order from the Lords of the Councell for stay thereof, whereby the sayd Towne became againe disabled as aforesaid; And that afterwards, upon complaint to the Lords of the Councell of the King's Majesty that now is, the former Orders of the restraint were dissolved and the sayd Towne freely left to sue in any of his Majesty's Courts.

Further shewing that the Defendents and other Merchant Strangers have combined together, and by a common Purse are agreed to stand out Suite for every small Summe and forfeiture; and that the Defendants being all Merchant Strangers did combine to land all their Merchandizes at London and other places and not at Southampton, and yet not to pay the forfeitures; pretending that the wines of the growth of Mallaga are not any of those Wines intended by the sayd Act of Parliament to be landed at Southampton; and that amongst others John Kepp, one of the Defendants, since the first of May, one thousand six hundred thirty two, brought in a Shippe called the Faith, whereof Thomas Bredcake was Master, Thirty Butts of Mallaga Wines, of the growth of Mallaga within the Levant, beyond the Streights of Morocko, which were his owne Goods, and landed them at London the fift of December following; And that the Defendant Jonas Depastree, since the first of May, one thousand six hundred thirty two, brought in a Shippe called the William

and Jane, whereof William Brundocke was Master, fifteene Butts of the same Wine from the same ports, w^{ch} were his owne Goods, and the seaventh of September, one thousand six hundred thirty two, landed and discharged them at London ; whereby amongst others the King's Majesty ought to have of the sayd John Kippe fifteene pounds, and of the sayd Jonas Depastree seaven pound ten shillings, as forfeited to his Majesty by the sayd Acts of Parliament ; w^{ch} Summes of money have been demanded of them ; but they refuse to pay the same ; And to the end that the King's Majesty may be satisfied his Moiety of the sayd forfeitures ; and the sayd Mayor, Bayliffes and Burgesses of the other Moiety thereof, for the Maintenances of the Walls and Defence of the sayd Towne, to establish a constant payment for the future, and to avoid particular and multiplicity of Actions at the Common Law, the s^d Information was exhibited ; Unto w^{ch} Information or English Bill, albeit there were six Defendants therein nam'd, whereof four were serv'd with processe, Yet his Majestie's Attorney General proceeded only against the Defendants, John Kipp and Jonas Depastree, for that Jacob Grolier, who was served to answer, did deny the landing of any Mallaga Wines ; and John Niclaes answer'd he is a Denizon, and no Merchant Stranger, and the rest besides the sayd foure could not be found ; w^{ch} sayd Defendant John Kippe in his answer to said Bill doth alleadge and confesse that he did transport thirty Butts of Mallaga Wines of the growth of Mallaga in Spaine, and landed them in London about the time in the Information mentioned, and saith that the Duty of tenne shillings for every Butt for his Majesty was never thentofore demanded, and that he did conceive the same was not due, for that the sayd Wines were of the growth of Mallaga aforesaid, and not of either of the Islands of Candy or Rotymo, or of any part of the Levant. And the sayd Jonas Depastree in his answer doth alleadge and confesse that he transported fifteene Butts of Mallaga Wine of the growth of Mallaga in Spaine, and landed them at London ; And the Duty of tenne Shillings the Butt was never thentofore demanded, and that he conceived the same was not due, for that the same were not of the growth of Candy or Rotymo, or of any part of the Levant ; as by the sayd Information or English Bill, and the answers of the sayd Defendants more at large appeareth ; unto w^{ch} answers of the sayd John Kippe and Jonas Depastree his Majestie's Attorney Generall did reply ; and the sayd Casese being at issue Witnesses were examined and publication of the

same granted, and the day was appoynted for the hearing of the sayd Cause. Now the sayd Cause coming to receive a hearing this present day, upon opening of the sayd Bill and reading an Affidavit that the sayd before sayd Defendants were served with a processe (*ad audiendum Judicium*) to attend the sayd hearing, and upon hearing of the severall Answers of the sayd Defendants, John Kippe and Jonas Depastree; and upon reading of a Certificate made by the Right Honourable the now Lord Keeper of the greate Seale of England, and of the Earl of Portland, deceased, late Lord Treasurer of England, and of the Lord Cottington, Chancellor and under Treasurer of this Court, bearing Date the sixt day of May, one thousand six hundred thirty three, made to the King's most Excellent Majesty, upon his Reference to them touching the Petition exhibited to his Highness by the Mayor and Corporation of Southampton, about a Difference between them and the Merchant Strangers, for the importation sweete Wines of the growth of the severall Countries within the Levant Seas, especially those of the Towne and Territories of Mallaga in the Kingdome of Spayne; Wherein their Lordships did certifie that they were of opinion that for the ending and finall settling of all Differences between the said Petitioners and the Merchant Strangers, his Majestie's Attorney Generall should be required to exhibite an Information on his Majestie's behalfe in the Court of Exchequer, for that w^{ch} concerneth his Majestie's Interest, that thereby upon Legall Proceedings, if it fell out for his Majesty, a finall Decree might be had without multiplicity of Suites, as well for that w^{ch} concerned his Majestie's Right and Duties as that w^{ch} was due and doth belong to the sayd Towne, as by the sayd Certificate more at large appeareth; Which Certificate was afterwards confirmed by an Order of the Councill board; And upon reading the Depositions of severall Witnesses, Seafaring men, Merchants and men of Judgement, that Mallaga is a City in Spayne, situate upon the Sea Coasts within the Streights of Morocko, alias Gibraltar, about twenty Leagues; And that the Sea adjoining to Mallaga is called the Levant Sea, and the Wines w^{ch} are called Mallaga Wines are and have beene alwayes taken and accounted to be Wines within the partes of the Levant; and upon reading of an Exemplification of a Verdict and Judgement had in the Office of Pleas of this Court in the Tearme of S^t Hilary, in the fifteenth yeare of the late King James, against Philippe Bernarde, Merchant Stranger, upon an Action of Debt

brought for the Summe of thirty foure pounds for the King's Majesty and the Mayor, Bayliffes and Burgesses of the sayd Towne of Southampton, upon the Statutes of Quinto et Decimo Tertio Elizabethæ Reginae, for thirty foure Butts of Mallaga Wines by the sayd Bernardi brought into this Kingdome and landed in the Port of London, where the Defendant pleaded *Nil debet* and a *Venir. fac.* awarded *de medietate lingue*, and a Verdict given for the Plaintiff and Judgement thereupon; and upon mature and deliberate consideration of the sayd Cause and the severall Acts of Parliament of Quinto et Decimo Tertio Eliz. now produced and exemplified under the Great Seale of England; And the Court taking into Consideration that the forfeiture given to the Towne of Southampton is not for their private Benefit, but to be imployed for the making and upholding their Bull workes and Fortifications for their publique Defence of the Kingdome, and especially for the sayd Towne of Southampton; And therefore Care ought to be had and taken for payment of the sayd forfeitures without multiplicity of Suites, w^{ch} might occasion unnecessary expence for a very small Summe.

It is therefore this present day ordered, adjudged and decreed that the said John Kippe shall satisfie, content and pay unto the King's Majesty and to the Mayor, Bayliffes and Burgesses of the sayd Towne of Southampton the Summe of thirty pounds, that is to say, fifteene pounds to the King's Majesty and fifteene pounds to the sayd Mayor, Bayliffes and Burgesses; And that the sayd Jonas Depastree shall likewise forthwith satisfie and pay to the K's Majesty and to the sayd Mayor, Bayliffes and Burgesses the Summe of fifteene pounds (viz. to the King's Majesty the Summe of seaven pounds tenne shillings, and to the sayd Mayor, Bayliffes and Burgesses other seaven pounds tenne shillings) for and in respect of their severall landing of their sayd Wines out of the sayd Port of Southampton, according to the severall Butts of the sayd Mallaga Wines by them severally confessed in their severall Answers to have been landed elsewhere.

And this Court doth declare that Mallaga in Spayne is within the parts of the Levant Sea, And that the Wines of Mallaga are sweete Wines of the growth of the Levant; And that every Merchant Stranger who hath already imported, or shall hereafter import into this Kingdome any Wines from Mallaga or any other parts within the Levant, and land the same in London, or any other Port or Creeke out of the sayd Port and Towne of

Southampton within this Kingdome, or the Dominion of Wales, ought and shall satisfie and pay unto the King's Majesty and to the sayd Mayor, Bayliffes and Burgesses of the sayd Towne of Southampton, the like penalties and summes of money, according to the sayd Statutes made in the fifth and thirteenth of Qu. Elizabeth, upon the sight of this Decree, in such sort as if he and they had beene made parties to this Suite; And the Collectors of his Majestie's Customs in all the Ports and places of this Kingdome where the sayd Mallaga Wines are or shall be landed are to take speciall notice thereof; and to collect the same of all Merchant Strangers, and be accountable for the same untill his Majesty and the Towne of Southampton respectively shall appoynt others for the collecting thereof. Sicut ibid continetur (as is there expressed).

Quæ omnia et singula ad instanciam et requisicionem prefat. Mayor, Ball. et Burgens Ville Southt. prædict. sub Sigilli dicti Scaccarii nostri duximus exemplificand. per Presentes. In cujus Rei testimonium has Litteras nostras fieri fecimus Patentes. Teste Humphr. Davenport, Milite, apud Westm., decimo septimo die Junii, Anno Regni nostri undecimo.

Fanshaw.

Per Recordam prædict. et per Barones.

Humphry Davenport.
Thomas Trevor.

Copia vera.

From a printed Copy.

All and singular w^{ch} things at the instance and request of the s^d May^r, Bayll. and Burg^s of the s^d Towne of Southt., we have tho^t fit to be exemplified by these Presents under the Seal of our s^d Exchequer. In witness whereof we have caused these our Letters Patents to be made. Witness Humphr. Davenport, K^t, at Westm^r, 17 day of June, in the year of our Reign 11.

Fanshaw.

By the s^d Record and by the Barons.

John Denham.
Richard Weston.

A true Copy.

APPENDIX T.

The Booke of Rates of the Toll, Brocage,¹ Petty Custome, and all other Dutyes due belonging or appertaineing unto the Mayor, Bailiffes and Burgesses of the Towne of Southampton and their Successors, for or by reason of any manner of Goods, Wares, or Merchandizes whatsoever brought into the said Towne or carried hence under the Bargate of the said Towne, or brought within the Liberties of the s^d Towne or carried thence, according to the ancient Custome of the said Towne, Time out of minde hitherto used and approved in the same Towne as followeth, viz. :

A.A.

Almonds of C. after their vallue	...	...	...	iiid
Ashes, called Soape Ashes, of every Barrell	...	...	...	iid
Ale, of every Pipe	...	...	...	id
Annis Seeds, of every C. after their vallue	...	...	...	iiid
Allom, of every C.	...	...	...	iid
Apples, of every Tunne's charge	...	...	...	iid

B.B.

Beere, of every Pipe	...	...	...	id
Basons, of every doz.	...	...	...	id
Buttry, ² of every C. after the vallue...	...	...	...	iid
Bow Staves	of ev'ry C.	...	...	iid
	of ev'ry Doz.	...	...	$\frac{3}{4}$ d
Brass ³ of ev'ry C.	New	...	...	iid
	Old	...	...	iid
Boards called	Ship boards	} for every C.	...	iiid
	Deale boards		...	iiid
Black Soape, the Barrell	...	...	...	iiid
Bacon brought in and out of ev'ry Bacon that is a Hogge	...	...	...	ob ($\frac{1}{2}$ d)
Brasill ⁴ the C.	...	...	...	iid
Brasill the Bale ⁵	...	...	...	xd

¹ Brocage—a variant of Brokage or Brokerage.

² Buttry—either butter or any fat that could be used as such. Buttry is also found as a variant of "battry," a collective term for implements made of iron.

³ By brass is meant any articles made of brass. Bolt—a roll of woven fabric of a given length. Canvas was usually made in bolts of 40 ft.

⁴ Brasill—iron pyrites, coal containing pyrites.

⁵ Bale is here used as a measure, probably about 2 cwt.

Bolts of Canvas, Pieces valued xs	...	...	...	id
British Ropes, the C.	...	...	...	iiid
Bed tyes ¹ by the value id in a Noble at a rate as other				
Wares are	...	...	...	id

C.C.

Corne, Wheat or Mault for ev'ry Cart Loade for Custome				iid
Chease, of ev'ry Weight	...	...	...	id
Cordwayne ² of every	Doz.	...	...	iid
	Bale	...	...	iiid
Cloth, of ev'ry whole cloth	...	...	...	iid
If any sums of Kersey ³ come, you must always account				
three Kerseys for one cloth, for w ^{ch} you must take				iid
For ev'ry Peace of Kersey	...	...	...	ob
Comin ⁴ of every C. after the value	...	...	...	iiid
Calfe Skins, of ev'ry Doz.	...	...	...	iid
Canvas, of ev'ry C. Custome Normandy	...	...	...	iid
Crese Cloth, ⁵ of every Fardle ⁶ after the value of				iid
the peace	...	...	...	iid
Congers ⁷	the C.	...	...	iiid
	the Barrell	...	...	iid
Cards, ⁸ new, the Doz.	...	...	...	id
Coales, called Smith's Coales, the Quarter	...	...	...	ob
Creeses, the C. value iii ^s , iiiid ^d w ^{ch} is the Custome	...	...	...	ob
Cloves, the C. value i ^d in the Noble, or C.	...	...	...	xiid
Canvas the Fardle, as well Vittrey, Equilet, Rombelo,				
or Lambalie, Fardle ⁹	...	...	...	vd

¹ Bed tyes, according to some authorities, is a name formerly used instead of feather beds. A noble was equal to 6/8.

² Cordwayne—Spanish leather, prepared originally at Cordova, whence the name. It was much used by the richer classes for shoes during the Middle Ages.

³ Kersey—a kind of coarse ribbed cloth, possibly named from the village of Kersey, in Suffolk. Pieces of Kersey of a definite size were commonly called Kerseys. In the sixteenth and seventeenth centuries the term was used in contradistinction to cloth or broad cloth, the size of the latter being fixed by statute in 1465 as 24 yds. by 2 yds., and of Kersey 18 yds. by 1 yd. 4 nail.

⁴ Comin, cummin or cumin—an umbelliferous plant resembling fennel, cultivated in the Levant, the fruit of which possesses aromatic qualities.

⁵ Crese cloth—crese, a variant of crest, a kind of linen cloth.

⁶ Fardle—a bundle or pack, cf. Hamlet: "Who would fardels bear, to grunt and sweat under a weary life?"

⁷ Conger eels were much used in the Middle Ages for making pasties and soups.

⁸ Cards may mean wool cards, implements used for raising nap on cloth, or shipman's cards.

⁹ Vittrey or Vitry—about three miles south of Paris. Equilet cannot be identified. Rombelo—possibly means Rambouillet, on the Seine, about twenty-five miles south-west of Paris. Lamballe or Lambale, on the coast of Brittany, had a great linen trade.

D.D.

Dowlas, ¹ of ev'ry Fardle after the value iid the peace, as well all sorts of White as Dowlas, to pay the same Price iid	
Dates, the C. iid	

F.F.

Fells, called Wooll Fells, of ev'ry C. iiid																	
Furrs ² of	<table> <tr> <td>Coney Skins, the C. id</td><td></td></tr> <tr> <td>Mantill Coney Skins, the C. id</td><td></td></tr> <tr> <td>Leverett Skins, the C. id</td><td></td></tr> <tr> <td>Sabitts, Martins, Foynes, Catts, C. iid</td><td></td></tr> <tr> <td>Squirell or Chiverell, the C. id ob</td><td></td></tr> <tr> <td>Mineing or Timbe iid</td><td></td></tr> <tr> <td>Lambe Skins, the C id ob</td><td></td></tr> <tr> <td>Amyes Bogie, the C</td><td></td></tr> </table>	Coney Skins, the C. id		Mantill Coney Skins, the C. id		Leverett Skins, the C. id		Sabitts, Martins, Foynes, Catts, C. iid		Squirell or Chiverell, the C. id ob		Mineing or Timbe iid		Lambe Skins, the C id ob		Amyes Bogie, the C	
Coney Skins, the C. id																	
Mantill Coney Skins, the C. id																	
Leverett Skins, the C. id																	
Sabitts, Martins, Foynes, Catts, C. iid																	
Squirell or Chiverell, the C. id ob																	
Mineing or Timbe iid																	
Lambe Skins, the C id ob																	
Amyes Bogie, the C																	
Figgs of ev'ry peace id																	
Feathers of ev'ry C. iid																	
Flocks, the C. iiid																	
Fish called	<table> <tr> <td>Sturgeon, halfe Barrell iiid</td><td></td></tr> <tr> <td>Millwell³ or Linges, the C. iid</td><td></td></tr> <tr> <td>Stockfish, the C. iid</td><td></td></tr> <tr> <td>Haddocks, the Barrell iid</td><td></td></tr> <tr> <td>Flatts, the C id</td><td></td></tr> </table>	Sturgeon, halfe Barrell iiid		Millwell ³ or Linges, the C. iid		Stockfish, the C. iid		Haddocks, the Barrell iid		Flatts, the C id							
Sturgeon, halfe Barrell iiid																	
Millwell ³ or Linges, the C. iid																	
Stockfish, the C. iid																	
Haddocks, the Barrell iid																	
Flatts, the C id																	

G.G.

Garlecke, the C. vid	
Gallp, ⁴ the C. iiid	
Glasse, the Case iid	
Grindinge Stones, y ^e peace ob	

¹ Dowlas—a coarse kind of linen, probably named from Doulas, in Brittany.

² Fells—skins of animals. Coney skins—used for making mantles. Sabitts—sable. Foynes, or founs—animals of the pole cat or weasel kind. Chiverell or cbeveril, *i.e.*, kid. Mineing probably means miniver, a spotted fur once much in request for lining and trimming garments. Bogie—an obsolete form of budge, a kind of fur; lamb's skin, with the wool dressed outwards. Amice—used here of a furred hood with long ends hanging down in front.

³ Millwell—a variant of mntel; linger—ling.

⁴ Gallp—This is probably an error; it should be "galis." Oak galls were largely used in dyeing and medicine.

H.H.

Horses & of every Horse beast that is bought or sould within the Towne or Liberties of the same						...
For the Toll thereof	{	of the buyer, id	}	...	...	iid
		of the seller, id				
Hempe, the C.	...	...	...	...	...	iid
Hydes fresh, salt or drye, ev'ry Hyde	...	...	...	...	...	ob
Honey, of ev'ry Tunne	...	...	...	...	...	i ^s iiiid
Hopps of every C.	...	...	...	...	...	id
Herrings	{	the Barrell	}	...	...	iid
		the Card				
Hooches, ¹ the C. Custome	...	...	...	...	...	iid
Haddock, salt, the Barrell Custome...	...	...	...	...	...	iid
Haddock, the C.	...	...	...	...	...	ob

I.I.

Iron	{	the Hundred	}	...	...	ob
		the Tunne				
		...		...	...	xd

K.K.

Kerseyes	{	of ev'ry peace ...	...	...	...	ob
		of ev'ry three Kerseys, w ^{ch} is counted for a cloth				iid
Coverted to the Hall.						

L.L.

Leather in small peaces	{	a man's	}	burthen	...	...	$\frac{3}{4}$ d
		called Wombes					
Latten, ² the C.	...	...	...	...	...	...	iid $\frac{3}{4}$ d
Lead, the C.	...	...	...	...	...	...	ob
Liquerice, of ev'ry C., after the value	...	...	...	...	...	...
Laithes, ³ of ev'ry thousand	...	...	...	...	...	...	ob
Litmose, ⁴ of ev'ry Barrell	...	...	...	...	...	...	id

M.M.

Mackrell, fresh or salt, the C.	...	...	...	...	id
Millstones, ev'ry Stone	...	...	...	...	iiiid
Marther, ⁵ the C.	...	...	...	...	iid

¹ Hooches—hooks.² Latten—a mixed metal of a yellow colour, identical with, or closely resembling, brass.³ Laithes—laths.⁴ Litmose, litmus—blue colouring matter obtained from various lichens.⁵ Marther—this form is found in writings of the fifteenth century as a variant of "marrow."

N.N.

Nutts called	{	small nutts, y ^e Quarter	...	...	ob
		Wallnutts, y ^e thousand	...	...	$\frac{3}{4}$ d

O.O.

Oyle of	{	2, 3 & 4 gallons	...	...	ob
		ev'ry 5, 6, 7, 8 or 9 gallons	...	...	id
		ev'ry 12, 13, 14, 15 or 16 gallons	...	...	iid
		ev'ry 17 18, 19, 20, 21 and 22 gallons, and	...	...	iid ob
		continually of all others	...	...	xvid
Oyle, the Barrell	...	..	...	...	iid ob
Onyons, of ev'ry thousand after the value	...	...	...	...	id
Orchall, ¹ the C.	...	...	...	...	iiid
Orenges, the thousand	...	...	...	...	ob
Oldernes, the Peace y ^e	...	...	...	...	id

P.P.

Plaister of Paris, of ev'ry Tunne	...	...	...	id
Pitch, of ev'ry Barrell	...	...	...	id
Prunes, the hundred	...	...	...	iid ob
Paper, the Balle or Ballett, as it may weigh, for the	...	...	...	xxd
hundred, 1 ^s , or after the value in old time	...	...	...	id
Poole Davies, the peace	...	...	...	iid
Paving Stones, the thousand foot	...	...	...	iid
Place, of ev'rie thousand	...	...	...	iid

Q.Q.

Quicksilver, for ev'rie C.	iid
----------------------------	-----	-----	-----	-----

R.R.

Ropes, of ev'rie C.	...	...	...	iid
Raisons, ev'rie peace	...	...	...	ob
Raisons or Currants, the C.	...	...	...	iiid
Rice, of ev'rie hundred	...	...	...	iid
Red Herrings, ev'rie Card	...	...	...	id
Rossome, ² the hundred	...	...	...	ob

¹ Orchall or orchill—a red or violet dye.

² Rossome—rosin (?)

S.S.

Sayme, ¹ that is to say of Herring sayme, Sprat sayme and Porke sayme, of ev'rie Tun	...	...	xvid
Spratts, the card ...	...	...	ob
Salmons { the Barrell	...	...	iiid
{ the Butt	...	...	viiid
{ the Pipe	...	...	xiid
Salt, the Quarter ...	...	...	ob
Soape { white, of ev'rie hundred	...	...	iid
{ black, of ev'rie Barrell	...	...	iiid
Shipboards, of ev'rie C.	...	...	iiid
Stock fish, ² of ev'rie C.	...	...	iid
Sturgeon, of ev'rie Barrell	...	...	iiid
Sea Coales, of ev'rie Quarter	...	...	ob
Sugar, the Chest ...	...	...	vid

T.T.

Tarre, of ev'rie Barrell	...	...	id
Tynne { of ev'rie peace	...	...	iid, ob, $\frac{3}{4}$ d
{ cast in Barrs after y ^e value one Vessell the C.	...	...	iid
Tyles, ev'rie Cart Loade	...	...	id
Wyne, of ev'rie Tunne	...	...	viiid
Woad, ³ of ev'rie Ballatt	...	...	iid
Wainscott, ⁴ of ev'rie C.	...	...	iid
Wax, of ev'rie C.	...	...	viiid ob
Wooll, of ev'rie Stone w ^t of vii ^{lb}	...	...	ob
White Soape, of ev'rie C.	...	...	iid
White Herrings, of ev'ry Barrell	...	...	iid
Woad called green Woad, the Tun	...	...	xiid
Wooll Fells, of ev'rie C.	...	...	iiid

The Tenants of the Duke of Lancaster renewed their Charter the xxii of November, in the third yeare of Queene Elizabeth, in which Charter are

King Somborne,
Romsey,
Stockbridge.

¹ Sayme—fat or grease.

² Stockfish—any fish which could be cured by spitting and drying, *e.g.*, cod.

Woad—a blue dye much used before indigo was known.

⁴ Wainscott—the best kind of oak wood, well grained and without knots.

And the Mannor of Hartley and Members of the same are free of Prestatione,¹ Theolony,² Pannage,³ Lastage,⁴ Tallage,⁵ Carriage, Passage,⁶ Package,⁷ and Terage.⁸

Hereafter follow the names of such Townes and Places as are free. And if any other clayme to be free, let their Charter be seen, by what Kynges and in what year they were maide free.

Andevor, free all the Comp^y of Freemen.

Alresford, free.

All the Tennants of S^t Swithun's, free.

All the Burgesses of Winchester, free.

All the Honnors⁹ of England, free.

Bristow	}	free	Basingstoke	}	free
Broughton ¹⁰			Burford ¹³		
Bishopstoke			Beaverley ¹⁴		
Brember ¹¹			Bath		
Bright Port ¹²	}	free	Bedford	}	free
Cochester			Dartmouth		
Canterbury			Downton ¹⁵		
Coventry			Dyndbeth ¹⁶		
Chichester	}	free	Glocester	}	free
Exeter			Guildford		
Eastiverley ¹⁷			Gomesester ¹⁸		

¹ Prestatione--purveyance, providing victuals for the king's household.

² Theolony--a general term for toll. Sometimes it is used in the sense of liberty to levy tolls.

³ Pannage was payment made to the owner of woodland for the right of pasturing swine, but it is most likely the word here is intended to be "pavage," *i.e.*, the usual tax paid for using roads.

⁴ Lastage might mean a toll payable by traders attending fairs and markets, or payment for liberty to load a ship, port duty levied at so much per last.

⁵ Tallage is a general term for toll, also a specific term for an aid levied by the early kings upon crown lands and royal towns.

⁶ Passage is a general term meaning a charge or custom levied upon passengers.

⁷ Package--the packing of goods, a privilege formerly held by the City of London of packing cloth and other goods exported by aliens.

⁸ Terage--rent paid for the use of a field.

⁹ By "Honnors" are meant great seignories or lordships on which inferior manors depended on performance of customs and service.

¹⁰ Broughton--a village three miles to the south-west of Stockbridge.

¹¹ Brember or Bramber, in West Sussex, has the remains of an ancient castle.

¹² Bright Port--Bridport, in Dorset.

¹³ Burford, to the north-west of Oxford, formerly had a large manufacture of linen.

¹⁴ Beaverley--Beverley, in Yorkshire.

¹⁵ Downton, on the Avon, on the borders of Hampshire and Wiltshire.

¹⁶ Dyndbeth--unknown, but judging from its form it may be in Wales.

¹⁷ Eastiverley--East Tytherley, about six miles north-west of Romsey.

¹⁸ Gomesester, near Sherborne, in Dorset.

Hovert ¹ Heartford East Hillstone ² Haverford	} free	Harwich Hull Honnors of Wallingford	} free
Ipswich, free King Sumborne ³ Kibolis Evanton ⁴	} free	London Lancaster Lockerly ⁵ Little Sumborne ⁶ Lyme	} free
My Lord of Winchester's Tennants My Lord of Hyde ⁷ for his House Marleborough	} free		
Norwich Nottingham Newcastle-upon- Tynes New Colledge (Oxford)	} free	Oxford Overton ⁸ Portsmouth Plymouth	} free } free
Reading, free Shrovesbury ¹⁰ S ^t Crosse Salisbury, halfe Custom free (see Appendix D.)	} free	Torksey ⁹ Twyford South Howton ¹¹ Scarborough Stafford	} free } free

¹ Hovert¹—this may be intended for Honiton, as Overton is given below.

² Hillstone—Helston, in Cornwall, considerable trade in tin.

³ King Sumborne—King's Somborne, about half way on the high road between Romsey and Stockbridge.

⁴ Kibolis Evanton—this may mean Chilbolton, an ancient village, half-way between Stockbridge and Andover.

⁵ Lockerley—about five miles to the north-west of Romsey.

⁶ Little Somborne—close to King's Somborne.

⁷ "My Lord of Hyde" may refer to Hyde Abbey, Winchester.

⁸ Overton—about eight miles west of Basingstoke.

⁹ Torksey, in Lincolnshire, has the ruins of a castle. John founded a priory here.

¹⁰ Shrovesbury—Shrewsbury.

¹¹ South Howton—this probably stands for Houghton Regis, near Dunstable; as there is a Houghton-le-Spring in Durham, "south" may be used in contradistinction to the latter.

Vyes, ¹ free		Wallingford	
Weekham ²	} free	Witch ³	} free
Wells		Wymborne	
Worcester		Winchester	
Weymouth		Colledge	
Walton		Yarmouth	} free
		Yorke	

THE RATES OF BROUAGE AND PONTAGE.⁴

Guildford	ixd	Basingstoke	vd
London	ixd	Sarum	vd
Vyes	ixd	Petersfield	vd
Oxford	ixd	Whittechurch ⁹	vd
Wallingford	ixd	Winchester	id
Shasbury ⁵	ixd	Alresford	id
Hungerford	ixd	Twyford	id
Bristol	ixd	Ringwood	id
Chipping norton ⁶	ixd	Fordinbridge	id
Westchester ⁷	ixd	Hurseley	id
Redding	ixd	Southwicke ¹⁰	id
Abbingdon ⁸	ixd	Bottley	id
Farnehom	viid	Titchfeild	id
Overton	viid	Fareham	id
Newbury	viid	Portsmouth	id
Marleborough	viid	Havant	id
Alton	vd	Porchester	id
Andover	vd		

¹ Vyes – possibly Devizes.² Weekham – Wickham, in the Meon Valley, the birthplace of Bishop Wykeham.³ Witch – most probably stands for Droitwich.⁴ Pontage – toll taken for the maintenance and rebuilding of bridges.⁵ Shasbury – Shaftesbury, in Wiltshire.⁶ Chipping Norton, in the west of Oxfordshire.⁷ West Chester cannot be identified.⁸ Abbingdon – Abingdon, on the Thames.⁹ Whittechurch – this Whittechurch is the Whittechurch in Hampshire, between Andover and Basingstoke.¹⁰ Southwick, to the north of Portsdown Hill.

Examin'd with the ancient Book of Rates, the second day of August, Anno Caroli vicessimo, Annoque Dni, 1644.

Tho^s Mason, Mayor.

Peter Seale.

Peter Clungeon.

Robart Wroth.

Henery Bracebridge.

Humphrey Ryman.

This is a true Copy subscrib'd out of the Book of Bargate Dutye lying in the Audit House, compar'd with y^e s^d Book and examin'd 23 day of July, 1650,

by Rich^d Stanley.

John Shippard.

THE END.

INDEX.

A

	PAGE
Abbingdon ...	239
Achard's Bridge ...	12, 13, 89
„ Spring ...	24
Admiralty Court ...	69, 73
„ Jurisdiction ...	69, 73
Aldermen ...	46
Alderman of Portwood ...	61
Alderney ...	111
All Saints ...	10, 31, 81, 106, 129
Alms Houses ...	81, 82
Alresford ...	237
Alton ...	239
Ambresbury, Amesbury ...	134
Anchorage dues ...	76
Andover ...	3, 140, 237, 239
Anlaf ...	7
Antiquity of town ...	5
Anton ...	3, 4, 141
Antoninus ...	142, 147
Antport ...	3
Arragon ...	113
Arthur, King ...	118
Arundel, Sir John ...	18
„ Tower ...	20, 157
Arviragus ...	2
Ascapart ...	124
Assize, bread and beer ...	168
Audit House ...	13, 38
Aurelianus ...	142

B

Bailiff ...	59
Bakers ...	168
Ballastage ...	77, 102
Bannister Gate ...	91, 158
Bargate ...	11, 39, 157
„ Bridge ...	75
Barres of town ...	11
Barnfleet, Nicholas ...	24, 135
Basingstoke ...	237
Bath ...	237
Beam, King's ...	196
Bearers ...	63
Beaufort, Cardinal ...	117

B

	PAGE
Beaulieu ...	67, 122, 197, 199
Beaverley, Beverley ...	237
Bede ...	4, 143
Bedford ...	237
„ Duke of ...	121
Bennett, John ...	26, 32
Bere, Forest of ...	12
Bevois ...	123, 146
„ Hill ...	126, 146
Bitterne ...	141
Blackworth ...	13
Botley ...	239
Bluntesdone, Henry of ...	134, 135
Brember ...	237
Brewers ...	160
Brick House ...	162
„ Kiln ...	92
Bristol ...	237
Britons, Ancient ...	1, 5
Broad Lane ...	63
Brokers ...	61
Broughton ...	237
Bull Hall ...	122
„ Ring ...	38
Burford ...	237
Burgesses ...	54
„ Honorary ...	54, 58
Burgess Street ...	13
Burleston Cross ...	12, 13, 90
Burning of town ...	9, 135
Butchers ...	166
Butler, Mr. ...	86, 110
Butlerage ...	67

C

Cæsar, Julius ...	5, 145
Calais ...	114, 224
Calleva Atrebatum ...	147
Calshot ...	3, 6, 71
Cambridge, Earl of ...	121, 132
Camden ...	2, 3, 4, 9, 118, 123, 141, 145
Canary Wines ...	39
Candy ...	115, 216

C	PAGE
Canterbury	237
Canute	118
Capelin, James	169
Capon, John	83
Carausius	142
Cardiff	123
Carisbrook	10
Carlisle	124
Castle, Southampton	15, 17, 22
Catalonia	113
Catchcold Tower	21
Cerdic	6
Chapel	139
Charities	78
Charters	43
Chauntries	129, 139
Chichester	237
Chilworth Gate	91
Chipping Norton	239
Chronicle, Saxon	6, 7
Churches	105
Cinque Ports	203
Clarence, Duke of... ..	122
Claudius	1, 142
Clausentum	6, 126, 140
Clement, Nicholas	48
Closes	92
Clothiers	78, 166
Cloth trade	224
Clungeon, Peter	170, 172, 240
Clutterbuck, Archdeacon	130
Coal trade	116
Coasting trade	116
Colchester	237
Colebrook	147
Colwell Spring	24, 135
Commissioners, Waterworks	35
„ Paving	42
Commodus	142
Common	89
Common Council	59
Conduit—	
All Saints	33
Friars Minors	32, 135
In Gosling Lane	32
St. Michael's	157, 161
Conqueror, The	8, 15
Constans	142
Constantius	142
Cornish, John	81

C	PAGE
Corporation	35, 101
Count of the Saxon Shore	141
Court Leet... ..	14
„ of Orphans	101
Cowes	71, 72, 116
Cowherd	91
Cranage	77
Cromwell, Oliver	171
Crosses, The	12
Currants	115
Customs House Dues	116
„ Petty	37
Cutthorn	12, 13, 14, 89, 91
Cymbeline	2

D	
Danes	7, 8, 118
Dartmouth	237
Davison, Wm.	85
Dawtreay	33, 91, 127
Depastree, Jonas	224
Digenson, Thos.	84
Dioclesian	142
Discreets of Market	61
Dissolution of Monasteries	105
Divinity Lecture	84
Ditches, Town	20, 92, 157
Domesday Book	8
Downer, Edward	170
Downton	123, 125, 237
Dyers	169
Dyndbeth	237

E	
Earls of Southampton	123
East Gate	104, 158
Eastiverley... ..	237
Echard	118
Edward I	119, 134
„ III	15, 119, 131
„ IV	132
„ VI	82
Eleanor, Queen	134
Elizabeth, Queen	100, 215, 225
English Street	25, 84
Essex, Earl of	225
Ethelred	7, 118
Ethelwerd	143
Exeter	237
Expenses, Law Day	151

F	PAGE
Fairs	98
Fareham	239
Farnham	108, 239
Fee farm	12, 20, 22, 74, 198
Fish market	37
Fishmongers	166
Fleming, John	32
Florence	194
Foreign bought and sold	102, 201
Fordingbridge	239
Fortifications	15, 20
France	8, 115, 119, 120
Free School	82
Free Port	116
French Church	110
„ Wines	116
„ The	119, 121
Friars Minors	10, 24, 132, 135
„ Observants	34, 136
Friary, The	37
Furzewells	12
G	
Gaol Delivery	53
Gascoigne Wines	39
Gauls, The... ..	6
Gauging	102, 195
Gaunt, John of	120
Geffrey, Wm.	98
Genoa	113
Geoffrey of Monmouth	1, 2, 5, 117
George Inn	157
Gervasius	131
Gibson, Bishop	146
Gildas	141, 143
Gloucester	237
„ Square	136
Grey, Sir Thos.	121
God's House	10, 121, 131, 173
„ „ Meadow	93, 157
„ „ Steward	36, 108
„ „ Tower	157
Gollop, George	22, 57, 59, 81
„ Roger	51, 170
Gomesester	237
Gosling Lane	162
Governors of Southampton	120
Grammar School (see Free School.)	
Guernsey	111, 116

G	PAGE
Guiderius	1
Guild Laws	190
Guildford	237
H	
Haling Island	69
Hamble	4
Hamo	1
Hamo's Bay	2
Hampton, Hamtun	3, 7, 8
Handicraftsmen	168
Hardynge, John	119
Harold	119
Hartley	237
Harwitch	238
Havant	239
Haven Stone	13
Heartford, East	238
Hede, Head Cross	13
Hegstone	13
Hellendune	125
Henry I	126
„ II	10
„ III	17
„ IV	18
„ V	121
„ VII	122
„ of Huntingdon	118
Hermit of Chapel	98, 139
Higgins, Wm.	48
Hill	13, 14, 25
Hillstone	238
Hoel of Brittany	118
Hoglands	92
Holmage, Nicholas	129, 140, 178
Holmes, Sir Robert	72
Holy Rood	10, 31, 105, 106, 129
Honnours of England	238
Horace	144
Horlock, John	84
Horse boat	77, 102
Hospitals	126
Houndwell	92
„ Springs	35
„ Water house	36
Hoverton	238
Hungerford	239
Hull	238
Hurst	69
Hursley	239
Hythe	22, 71, 72

I

	PAGE
Ipswich	238
Itchen Ferry	71
„ River 3, 4, 12, 20, 141, 145	
Itinerary of Antoninus 142, 147	

J

Jacomyn	81
James I	95
Jersey	111, 116
John, King	11
Judgment, Form of the ...	192
Justices of County ...	165

K

Kenelm	125
Keys, quays	36
Keyage	164
Kibolis Evanton	238
Kingsland	12, 92
King's Somborne	236, 238
Kinsman, Wm.	87
Knights' Service	83
Knowles, Avice	81
Knight, Mr.	91
Kipp, John	224

L

Lambert, Sir Oliver ...	128
„ Widow	128
Lancaster	238
Langston	69
Lastage	237
Lecture at Holy Rood 171, 175	
Leicester, Earl of	76, 225
Leland	9, 130
Lepers	138
Levant trade	204, 216
Liberties of Southampton... 11	
Lightermen	21
Linen Hall	77
Lobery Mead	32, 92
Lockerley	238
London	117, 213, 238
Lucilla	142
Lymington	69, 73

M

	PAGE
Magdalen Fields	92, 138
„ Hospital	138
Major, John	79
„ Richard	175
Malaga wines	39, 115, 223
Malmesies 115, 204, 207, 220	
Marlborough	238
Marrock (Morocco) 216, 224	
Mayor, office of	45
Mayors, list of	179
Members of Parliament ...	95
Mercer, Paul	81
Merchant Taylors	78
Mercia	125
Merrifield, Henry	170
Miller's House	99, 139
Monasticon	126
Monpesson, Roger	50
Morley, Bishop	106
Mother Church of South-	
ampton	130
Munn, Richard	85
Murage	164
Murford, Peter	177
Mylles, Francis	132, 142

N

Name of town	1
Needles, The	4, 21
Netley	67, 197, 199, 200
Newbury	148, 239
Newcastle	238
New College	238
Newfoundland	116
New Sarum	164
Nicholas of Shirley	89
Nonconformity	111
Northam	90, 146
Normandy	8, 119
Normans	123
Norton, Col. Richard ...	175
North Gate	121, 157
Norway	116
Norwich	79, 238
Nottingham	238
Nuisances, removal of ...	103

O	PAGE
Oath of Burgess	57
„ „ Mayor	48
„ „ Recorder	50
„ „ Town Clerk	54
Observant Friars	136
Offices	59
Order of Council of State... ..	175
Overey, Thos.	13
Overton	238
Oxford	239
Oyer and Terminer	53
Oysters	70, 78

P	
Package	237
Packers	61
Pannage	237
Parkinson, Bridget	80
Parliament, Members of	95
Pavement	39, 42
Paving Act	42, 102
Pavage	164
Pear Tree Chapel	128, 143
Pedley, Roger	36, 156
Pemberton, George	80
Penruddocke	50
Peterborough, Earl of	146
Petersfield	239
Petty Customs	37, 73
Philip of Spain	115, 123
Piccages	101
Picts, The	143
Pie Powder Court... ..	100
Pinhorne, John	86
Plague, The	81
Platform, The	20
Plundered Ministers	129, 175
Plymouth	238
Pocock, Richard	86
Pontage	164
Pontes	147
Ponticus Virunnius	1, 2
Pope Alexander	138
Porchester	1, 239
Porters	61
Portsmouth 8, 116, 119, 152, 238	
Portswood	12, 14, 91, 126
Portugal	116, 194
Pound	103

P	PAGE
Poundage of Ships	76, 102
Poyzers	196
Prestatione	237
Prisage	67, 199
Protasius	131
Ptolemy	4
Publicans	168

Q	
Quays	36
Queen Anne's Bounty	108
Queen's College, Oxford 108, 110,	
132	
Queen Hithe	37
Queen Mary	114, 204, 207
Queen Philippa	131
Quo Warranto	67

R	
Rates, Book of	231
Reading	238
Recorder	35, 49
Redbridge	37
Regnum	142
Regrators	167
Religious Houses	126
Retimo	115, 216
Revenues of Corporation	75
Reynolds, Catharine	81
„ Edward... ..	86
„ Thomas	95
Richard I	12
Richbell	60, 170
Ringwood	148, 239
Robinson, Nathaniel	175
Roman antiquities	141
„ coins	142
„ legions	143
„ stations	140
Romans, The 1, 5, 6, 141, 143	
Rome	118
Romsey	236
Rosse, Alexander	81, 85
Rought, Walter	129, 176
Rump, The	170
Russia	116

S

	PAGE
Salisbury	238
Saltmarsh, The	93
" Agreement	172
Salt Merchants	167
Sandye Bay	21
Sarum	239
" New	164
Saxon Chronicle	6, 7
Saxons, The	6, 118, 141
Scarborough	238
Scarlet gowns	57
Scavengers	102
Schoolmaster, Free School	84
Scot and Lot	58, 96
Scott, William	87
Scripture	144
Scroop, Henry, Lord	121
Sea banks	93
Seal, Town	88
Seale, Peter	59, 81
Sendy, Lawrence	80, 82
Sergeants	61
Severus	142
Sewers	95
Sharp, Gylles	56
Shasbury	239
Sherborne	132
Sheriff fined	57
Shirley, Manor of	89
Shoemakers	166
Shrewsbury, Earls of	15
Shrovesbury	238
Silver Oar	72
Situation of town	9
Socage	200
Socage in capite	83
Solent, The	4
Southampton Water	4
South Stoneham	14
Spain	115
Speed, Mr....	124, 138
Spene	148
Spithead	4
St. Andrew's Fair	100
St. Cross	238
St. Denys 14, 67, 92, 126, 139,	
197, 199	
St. John's Church	106
" Hospital	79

S

PAGE

St. Julian's Church (see God's House.)	
St. Lawrence Church 10, 31, 80,	
81, 106, 109	
St. Mary's Church 82, 127, 130,	
140, 176	
St. Mary's Lane	92
St. Mary Magdalen	138
St. Michael's 10, 31, 106, 157	
St. Maurice, Winchester	107
St. Nicholas	130
St. Swithun	237
Stafford	238
Stall and Art	76, 102
Stanley, Wm.	170
Staple	63, 101
Statute Merchant	64
Stenigg, Robert	135
Steptoe, John	79
Steward, Town	60
Stockbridge	236
Suetonius	145
Sugar House	133
Sussex	145
Sweet Wine Grants 204, 207, 215,	
219, 223	
Swegen	7

T

Tanner, Bishop 106, 126, 131,	
132, 138	
Taunton, Richard	80, 108
Test, The	4, 141
Terstan	3
Terste	3
Thames, The	118
Theolony	237
Thursday Lecture... ..	171, 175
Timber trade	116
Tin House... ..	77, 117
Titchfield 67, 197, 199, 200, 239	
Toll, Bargate	75, 102
Tolowes Woad	194
Torksey	238
Town Arms	88
" Books	97
" Clerk	51
" Ditches	20, 92, 157

T

	PAGE
Town Seal ...	...88, 126
„ Walls ...	... 23
„ Waterworks ...	... 35
Trade of town ...	112, 224
Trinity Fair ...	... 98
„ Chapel ...	...98, 139
Trisantonis Portus ...	... 3
Turkey Company ...	115, 225
Twiste, Mr. ...	... 85
Twyford ...	... 238
Tyrrell ...	... 118

V

Valens 142
Valentianus ...	... 142
Venta Belgarum ...	142, 147
Venice ...	113, 194
Vespasian ...	... 145
Victuallers ...	... 167
Vyes ...	... 239

W

Wallingford ...	147, 239
Walsingham, Sir Francis ...	132
Walton ...	... 239
Warbeck, Perkin ...	... 122
Wareham, Thos. ...	... 86
Warwick, Earl of ...	... 120
Waste lands ...	... 93
Watch ...	...42, 103
Water Bailiff ...	... 22, 59
Watergate Quay ...	... 36
Water rate ...	... 35

W

	PAGE
Waterworks, R. Pedley ...	156
Waverley ...	67, 197, 199, 200
Weighing ...	102, 197
Weigh House ...	77, 196
Wells ...	... 239
Westchester ...	... 239
West Hall ...	... 84, 87
Westminster ...	... 118
West Quay ...	... 37
West Saxons ...	... 125
Weymouth ...	... 239
Wharfage ...	... 77
Whitchurch ...	... 239
White, Richard ...	... 59
White, Sir Thos. ...	... 78
Whitehall ...	... 176
Wickham ...	... 239
Wight, Isle of ...	21, 118, 145
William of Malmesbury ...	125
Wiltshire ...	... 125
Winchester ...	7, 82, 142, 147, 239
„ College ...	... 239
Witch ...	... 239
Wool trade ...	205, 208
Worcester ...	... 239
Workhouse ...	... 79
Wulfheard ...	... 7
Wymborne ...	... 239

Y

Yarmouth ...	... 239
York ...	... 239
York Buildings ...	... 82
York, Richard, Duke of ...	132



SOUTHAMPTON RECORD SOCIETY

PUBLICATIONS.

1905-6.

1. SOUTHAMPTON COURT LEET RECORDS, A.D. 1550—1577 (pp. 164 + xxiii). Edited by F. J. C. HEARNSHAW, M.A., LL.D., and (Mrs.) D. M. HEARNSHAW, M.A. Price, 15/9 net; to Members, 10/6 net.
2. SOUTHAMPTON COURT LEET RECORDS, A.D. 1578—1602 (pp. 208 + vi). Edited by F. J. C. HEARNSHAW, M.A., LL.D., and (Mrs.) D. M. HEARNSHAW, M.A. Price, 15/9 net; to Members, 10/6 net.

1906-7.

3. A SOUTHAMPTON ATLAS: A Collection of Old Maps and Plans of Southampton. Edited by W. H. ROGERS, Hon. Secretary of the Southampton Geographical Society. Price, 15/9 net; to Members, 10/6 net.
4. SOUTHAMPTON COURT LEET RECORDS, A.D. 1603—1624 (pp. 232 + iv). Edited by F. J. C. HEARNSHAW, M.A., LL.D., and (Mrs.) D. M. HEARNSHAW, M.A. Price, 15/9 net; to Members, 10/6 net.

1907-8.

5. LEET JURISDICTION IN ENGLAND, especially as illustrated by the Court Leet Records of the Borough of Southampton (pp. 406 + xv). By F. J. C. HEARNSHAW, M.A., LL.D. Price, 21/- net; to Members, 14/- net.
6. INDEX VOLUME TO COURT LEET RECORDS, A.D. 1550—1624, containing (1) GLOSSARY AND NOTES ON SYNTAX, by W. F. MASOM, M.A.; (2) NOTES ON DIALECT, by J. S. WESTLAKE, M.A.; (3) INDEX OF PERSONS, by C. N. WEBB; (4) INDEX OF PLACES, by (Miss) G. H. HAMILTON; (5) INDEX OF SUBJECT MATTER, by F. J. BURNETT (pp. 212). Price, 10/6 net; to Members, 7/- net.

1909.

7. THE CHARTERS OF THE BOROUGH OF SOUTHAMPTON, Part I (pp. 129 + xxv). Edited, with Translation, Notes and Introduction, by H. W. GIDDEN, M.A. Price, 15/9 net; to Members, 10/6 net.
8. SPEED'S HISTORY OF SOUTHAMPTON: Written about A.D. 1770. Edited from the unique manuscript in the Audit House, by (Miss) E. R. AUBREY, M.A.

ANNOUNCEMENTS.

9. THE CHARTERS OF THE BOROUGH OF SOUTHAMPTON, Part II. Edited, with Translation, Notes and Introduction, by H. W. GIDDEN, M.A.
10. THE "OAK BOOK" OF SOUTHAMPTON. Edited by Professor P. STUDER, M.A.
11. THE BOOKS OF EXAMINATIONS AND DEPOSITIONS, Vol. I. Edited by Professor F. CLARKE, M.A., and (Miss) G. H. HAMILTON.
12. THE "BLACK BOOK" OF SOUTHAMPTON, Vol. I. Edited by (Miss) M. G. SIMS, M.A.
13. THE BOOKS OF EXAMINATIONS AND DEPOSITIONS, Vol. II. Edited by Professor F. J. C. HEARNSHAW, M.A., LL.D., and (Miss) E. R. AUBREY, M.A.
14. SOUTHAMPTON COURT LEET RECORDS, from A.D. 1625. To be Edited by Rev. W. E. ASHDOWN, B.A., (Miss) E. R. AUBREY, M.A., and (Miss) M. G. SIMS, M.A.
15. OTHER IMPORTANT DOCUMENTS as decided upon by the Committee.

